

OVERSIGHT OF FEDERAL ASSISTANCE FOR PRISONER REHABILITATION AND REENTRY IN OUR STATES

HEARING
BEFORE THE
SUBCOMMITTEE ON CORRECTIONS AND
REHABILITATION
OF THE
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UNITED STATES SENATE
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THURSDAY, SEPTEMBER 21, 2006

U.S. SENATE,
SUBCOMMITTEE ON CORRECTIONS AND REHABILITATION,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The Subcommittee met, pursuant to notice, at 2:34 p.m., in room SD-226, Dirksen Senate Office Building, Hon. Tom Coburn, Chairman of the Subcommittee, presiding.

Present: Senators Coburn, Sessions, Brownback, and Durbin.

OPENING STATEMENT OF HON. TOM COBURN, A U.S. SENATOR FROM THE STATE OF OKLAHOMA

Chairman COBURN. The Subcommittee on Corrections and Rehabilitation of the Senate Judiciary Committee will come to order.

First of all, I want to take this moment to thank each of you who are participating on our two panels today. This is an oversight hearing on Federal assistance for prisoner rehabilitation and reentry in our States.

What we do know is whatever, positive or negative, that prisoners learn in prison will be reflected in their behavior outside of prison. The statistics are somewhere around 9 million people go through our prisons in a year, and we have in excess of 2 million people incarcerated.

The purpose of the hearing is to learn about every Federal tax dollar that has recently been spent on programs to aid State and local prisoner reentry initiatives. Since 2001, the Federal Government, through the Prisoner Reentry Initiative, the Serious and Violent Offender Reentry Initiative, Byrne JAG grants, demonstration grants, and various research initiatives, has spent over \$400 million to help States and local governments provide programs to assist in prisoner reentry. Additionally, there are grants, technical information, and best practices provided by various agencies to help prevent crime and provide alternatives to incarceration.

We have a large job in front of us today because to date Congress has not reviewed some of its larger investments like the Serious and Violent Offender Reentry Initiative or some of the pilot programs, like the Transition from Prison to Community Initiative employed in eight States or the demonstration program employed through the National Governors Association in seven States.

At the end of the hearing today, I hope we will, first of all, become more familiar with all the programs that are there, the funding opportunities available through the various agencies that assist in prisoner reentry, the goal of those programs, and the type of accountability that is built in to ensure that the tax dollars are well spent and meet the goals and the visions of those programs. Ninety-one-point-six percent of all inmates are held in State facilities for violating State laws. Additionally, we know that 16 States hold almost 71 percent of all inmates. While incarceration generates high costs, we know that States this past year had \$57 billion in excess revenues. Thirty-eight States' revenues exceeded their budget projections and 10 States' revenues were on target. Unexpended revenues probably can and should be focused on one of the critical areas in our country that needs addressing, and that is the effects of incarceration. How do we make good, productive citizens of people who have made a mistake, paid the price, and do not go back in?

What we do know is that the recidivism rate is high, and we know that two-thirds of that recidivism, that reincarceration occurs within the first 6 months following—actually, it is half occurs within the first 6 months following release from incarceration. We need to do a better job as a Nation. The States need to do a better job.

Eighty percent of State prisoners report a history of drug or alcohol use. In fact, 55 percent of State prisoners report using drugs or alcohol during the commission of the crime that resulted in their incarceration. I am a big proponent of drug treatment and addiction treatment, and when we fail to do that, we fail to offer a hope and a chance for many people who are incarcerated.

A study in Texas found that an unemployed offender is 3 times more likely to return to prison than one who is employed. Similarly, New York's Department of Labor reports that 83 percent of offenders who violated probation or parole were unemployed.

With the knowledge we have about the trends in recidivism and the commonalities among inmates, we can evaluate the programs we have to make sure they are targeting the right needs.

I met with a number of groups and also a number of corrections staff. One program in particular that stands out to me as a phenomenal success is being executed by two U.S. probation officers—one in eastern Missouri and another in western North Carolina. These two officers are motivated to make a difference in the lives of inmates, and they have used their resources in very creative ways. They focus specifically on employment.

Using job retention training, the Federal Bonding Program, employer tax credit, and job fairs for ex-offenders, they were able to reduce the unemployment statistics for the people in their charge from 12.1 percent in 2000 to 3.3 percent in 2006. The most amazing thing is that the unemployment rate for ex-offenders in their areas of coverage in 2006 was lower than the unemployment rate in their respective areas for all the citizens as a whole.

As of this month, the unemployment rate is at an all-time low for ex-offenders in eastern Missouri at 2.54 percent, while the community's unemployment rate is 5.1 percent. This incredible success has had a significant effect on revocation. Even though the released offender caseload has increased over the years, the number of rev-

ocations has decreased. It is all related to employment, employing skills, getting out of an addictive habit and being employed and building self-esteem based on that.

The success of the program is attributed to offender employment following release, offender education programs in prison, mandatory evening and weekend work for supervision officers, increased treatment options, search and surveillance team support, and credibility from the bench, passionate staff, and good press.

After meeting these gentlemen, there is no doubt in my mind that the success of their program is because of the character of the men leading it. People make the difference in successful reentry, both the corrections officers and the incarcerated individuals.

At the Judiciary Committee hearing this last Tuesday on the cost of crime, one Senator pointed out that the Residual Drug Treatment Program in Federal prisons is offered to all inmates who volunteer. In the followup question and answer period, the Director of the Bureau of Prisons, Harley Lappin, agreed that if all inmates with a drug treatment need were forced to participate in the program, the success of the program might be reduced because the volunteer nature of the program makes it more successful. We all know that you have to recognize the need before you are going to take the help for the need. But the total numbers might, in fact—the total numbers of people employed and out of a drug-addicted or alcohol-addicted position might actually increase.

Our second panel today includes witnesses who work in the field of corrections. Both have received Federal grants and can report back to us about interactions with various agencies. Senator Durbin and myself look forward to learning about the grant process, the role of nonprofits, associations, or lobbies play in helping identify and achieve available funds, how federally funded programs interact with State programs, and accountability measures built in to followup with the grantees and their programs.

Finally, we will look forward to hearing from our second panel about how States are handling the problems associated with recidivism.

I thank all our witnesses for being here today, and I look forward to your testimony. I want to specifically thank the witnesses on our second panel. We know that you and the 750,000-plus Americans employed in corrections are making a difference in the lives of inmates. The work you do and your ability to impact inmates is tremendous.

Senator Durbin.

**STATEMENT OF HON. RICHARD DURBIN, A U.S. SENATOR
FROM THE STATE OF ILLINOIS**

Senator DURBIN. Thank you, Mr. Chairman. I am going to ask that my entire statement be made part of the record.

Chairman COBURN. Without objection.

Senator DURBIN. I will just echo your remarks. There are 9 million people incarcerated today in the world. A fourth of them are in the United States, one out of four. We have seen a dramatic increase in incarcerations. Some 700,000 people are released from prison each year. On average, somewhere between 55 and 65 percent of them will commit another crime.

The obvious question is: What can we do to make people pay a price for those things that they have done wrong, but to make certain that we do not pay that price a second time as a society if those who are released from prison commit another crime?

There are some things that are very obvious. Many people enter prison today with drug addictions and are never treated. We also know that many people enter prison with some vestige of a family life and see it disintegrate because of lack of opportunity to make a telephone call or to have a meaningful visit with a member of your family because of where your prison is located or what the prisoner visitation rights happen to be.

We know that education is the single best thing that we can do to turn the life around of a prisoner, and yet we face this Faustian chance—I faced it as a Congressman—of what to do in a society where we have too few dollars for Pell grants to help low-income students go to college. So do you give the Pell grants to the kids who did not commit the drug crimes and want to go to college? Or do you give them to those youngsters who were incarcerated for committing a drug crime?

A terrible choice. And we know if we do not provide this financial assistance, some of these inmates will never achieve the skills and education they need to turn their lives around.

Too many people incarcerated today have a serious mental illness and get virtually no treatment for it while they are incarcerated. And that means that they leave prison perhaps in worse shape than they entered.

We know that when it comes to returning to society, there are a lot of helping hands that can make a big difference, whether it is first a family or a church or a business or an organization. I have seen it all over my State of Illinois, and many people here have as well. We need to create incentives for that helping hand to give people a chance.

I want to especially note before I close, Mr. Chairman, that we have one witness today, Diane Williams, who is President and CEO of the Safer Foundation, on our second panel. In my State of Illinois and perhaps regionally, maybe nationally, Safer Foundation is one of the most outstanding operations in terms of noting the nature of this problem and suggesting meaningful ways to address it.

Thank you for this hearing.

[The prepared statement of Senator Durbin appears as a submission for the record.]

Chairman COBURN. Thank you.

I am going to introduce the witnesses and then we will swear you in. The first witness is Regina Schofield, Assistant Attorney General at the Office of Justice Programs. Ms. Schofield was confirmed as Assistant Attorney General for OJP on June 8, 2005. She is responsible for providing overall management and oversight of OJP, whose mission is to enlarge the Nation's capacity to prevent and control crime, improve the criminal and juvenile justice systems, increase knowledge about crime and related issues, and assist crime victims. She also guides the development of that office's policy and priorities and coordinates the activities of its bureaus and offices.

Next is Mr. Mason Bishop. He is Deputy Assistant Secretary for the Employment and Training Administration at the Department of Labor. He is responsible for overseeing key workforce investment programs, developing and implementing workforce policies and priorities, and assisting with congressional relations and legislative issues. He also plays a lead role in the reauthorization of the Workforce Investment Act.

Next is Robert Bogart. He is the Director of the White House Center for Faith Based and Community Initiatives at the U.S. Department of Housing and Urban Development. As the Director of the HUD Center, Mr. Bogart ensures that faith-based and community organizations have equal access to Federal dollars.

Our final witness is Cheri Nolan. She is the senior policy advisor on criminal and juvenile justice issues to the Substance Abuse and Mental Health Services Administration, also known as SAMHSA. She assumed her current responsibilities in September of 2005. At SAMHSA, she manages and oversees all criminal, juvenile, and faith-based issues that confront the agency.

If you would each stand and repeat after me: I swear that the testimony that I am about to give before the Judiciary Subcommittee on Rehabilitation and Corrections is the truth, the whole truth, and nothing but the truth, so help me God?

[Witnesses repeat oath.]

Chairman COBURN. Thank you. You may be seated.

Ms. Schofield, turn your mike on, if you would, please. You are recognized for 5 minutes

STATEMENT OF REGINA B. SCHOFIELD, ASSISTANT ATTORNEY GENERAL, OFFICE OF JUSTICE PROGRAMS, U.S. DEPARTMENT OF JUSTICE, WASHINGTON, D.C.

Ms. SCHOFIELD. Dr. Coburn, Senator Durbin, I am Regina B. Schofield, the Assistant Attorney General for the Office of Justice Programs. I am pleased to be here this afternoon on behalf of Attorney General Gonzales, the U.S. Department of Justice, and the Office of Justice Programs to discuss the Department's efforts to aid State and local reentry initiatives.

I am also honored to be here not only with representatives from other Federal agencies, but also Diane Williams and Roger Werholtz. OJP has worked with both of them, and I know that they will contribute greatly to today's hearing.

Most offenders, including the most violent offenders, will eventually return to their communities. A study from OJP's Bureau of Justice Statistics found that more than two-thirds of all released offenders were rearrested within 3 years. So, of the 650,000 people who are released from prison annually, over 400,000 are likely to be rearrested.

Between the harm caused by their original crimes, the injuries inflicted by their new offenses, and the collective damage they do to both their neighborhoods and their communities, the path of destruction recidivists leave is wide and long.

The issue of prisoner reentry has been of great concern to this administration since early in President Bush's first term. In 2002, the Department of Justice, in an unprecedented partnership with

other Federal agencies, launched "Going Home: The Serious and Violent Offender Reentry Initiative," or SVORI.

Under SVORI, we have awarded more than \$120 million to 69 grantees, covering all 50 States, the District of Columbia, and the Virgin Islands. These grants helped to support States and communities as they developed and implemented their own reentry strategies. Although the strategies were designed by States and communities to meet their own specific needs, they all share a three-pronged approach that covers every stage of the reentry process. First, while participating offenders are still incarcerated, reentry partners assess their needs, their skills, and the risk they pose to public safety, and develop formal reentry plans. Second, as soon as these offenders are released, they are closely supervised, often with the requirement that they report to a judge or corrections officer, and receive treatment and training. Finally, a network of public and private agencies provides long-term support as the offenders reintegrate.

The SVORI reentry plans also include participation by the faith-based community, neighborhood residents, local police, and close consultation with State and local government officials, corrections staff, probation and parole officers, treatment providers, and others.

The feedback to date has been very encouraging. We have completed the first phase of a two-phase, multi-year evaluation of the SVORI programs. The evaluation shows that these programs have been successful in bridging the gaps in existing State and local efforts. They are providing much needed transition services, such as counseling, mentoring, and job training. And they are closely coordinating pre-release and post-release services.

The next phase of the evaluation is a 4-year impact study that will measure program outcomes. It will tell us what impact SVORI programs have had on recidivism and whether they are cost-effective. We will continue to share these findings as they become available.

The SVORI grants expired this year, but we are taking what we have learned from these programs and applying it to the President's Prisoner Reentry Initiative, or PRI. PRI is a Federal partnership that is intended to help ex-offenders find and keep employment, obtain transitional housing, and receive mentoring. It also harnesses the resources and experience of faith-based and community organizations in helping returning inmates contribute to society.

In fiscal years 2005 and 2006, we awarded \$12.9 million to States for pre-release planning and services for non-violent offenders, ages 18 and older. These grants were designed to complement the Department of Labor's portion of the initiative, under which 30 community and faith-based organizations in 20 States received awards to provide post-release services such as mentoring, employment assistance, and housing assistance.

As the Subcommittee requested, I am submitting for the record detailed information on our reentry program. The President, the Attorney General, and I believe that successfully reintegrating offenders back into their communities is one of the most pressing criminal justice issues facing our country today. State and local

governments have demonstrated that thoughtful policies and programs can be developed to address this issue. We are committed to doing all that we can to continue to support their good work.

We appreciate the interest that you and your colleagues have shown, and I welcome the opportunity to answer any questions you may have. Thank you.

[The prepared statement of Ms. Schofield appears as a submission for the record.]

Chairman COBURN. Thank you.

Mr. Bishop.

STATEMENT OF MASON M. BISHOP, DEPUTY ASSISTANT SECRETARY, EMPLOYMENT AND TRAINING ADMINISTRATION, U.S. DEPARTMENT OF LABOR, WASHINGTON, D.C.

Mr. BISHOP. Mr. Chairman and members of the Committee, I am pleased to have the opportunity to represent Secretary Chao and to discuss the Department of Labor's considerable work on prisoner reentry initiatives. My written testimony describes in detail the programs and funding sources currently available for reentry efforts.

Each year, more than 650,000 inmates are released from Federal and State prisons. These released prisoners face difficult challenges as they reconnect to society. Unemployment among ex-prisoners can be as high as 40 percent, and joblessness among ex-prisoners has been linked to recidivism rates.

Prisoners also demonstrate low levels of educational attainment. Forty percent of adult State prisoners are functionally illiterate, and over half of State parole entrants are not high school graduates.

In contrast, the fastest-growing jobs on average require a high school diploma and a post-secondary credential such as a vocational certificate, an industry-recognized credential, or an associate's or higher degree. At the same time, the need for workers is increasing due to the retirement trends of the baby-boom generation and lower birth rates in recent years.

To keep pace with the demand for skilled workers, every facet of the population, including ex-offenders, will be needed. Ex-offenders are an important supply pipeline for the unfilled high-growth jobs of today and for the jobs of the future and, therefore, must be actively engaged to take part in the labor force.

Without intervention, many ex-prisoners will commit new crimes and be reincarcerated in the first 3 years after their release from prison. Research has also broadly documented the substance abuse and mental health issues of ex-prisoners—factors that are likely to contribute to poor education levels, lack of employability, and a return to criminal activity.

In returning to criminal activity, ex-prisoners reduce their chances of living healthy and positive lives for both themselves and their families. On the other hand, ex-offenders who maintain strong family and community ties have greater success in reintegrating into the community and avoiding incarceration.

Given these issues, the philosophical underpinnings of the Department of Labor's reentry efforts include: first, having employment be the goal and at the core of all reentry efforts; and, second,

assuring the continued and strengthened role for faith-based and community-based organizations as primary partners since they often possess unique strengths and resources for delivering social services to ex-prisoners within their communities.

A focal point of these reentry efforts is the President's Prisoner Reentry Initiative, as well as a series of other programs and initiatives under the Responsible Reintegration of Youthful Offenders appropriation. All together the Department of Labor has invested more than \$372 million in prisoner reentry efforts of various types.

Under the President's Prisoner Reentry Initiative, which he announced in the January 2004 State of the Union address, the Department of Labor has awarded 30 grants to strengthen urban communities characterized by large numbers of returning prisoners through an employment-centered program that incorporates mentoring, job training, and comprehensive transitional services.

In implementing the grants, we have put much emphasis on job development, contacts with private sector employers, and high-growth employment. The goal is to serve 6,250 released prisoners during the first year of the initiative. Grantees began operating in March of 2006, and as of September 8th of 2006, 2,874 participants had been enrolled and 1,469 have been placed in jobs.

Under the Responsible Reintegration of Youthful Offenders appropriation, the Department has funded a variety of projects aimed at serving young offenders, at-risk youth, and youth in juvenile or adult justice systems. The projects focus on demand-driven strategies designed to move youth into high-growth occupations and provide education and training, employment, and community services to facilitate reentry. The funded programs also include State-operated juvenile justices aimed at improving the academic and work force preparation of youth in correctional facilities, among others.

Much is being accomplished through these programs. Grants are serving large numbers of youth each year in high-crime communities. Local community grants have succeeded in placing youth in employment. State grants are increasing the reading and math achievement levels of youth, in large part because they can spend time while those youth are behind bars.

The Department has also participated in the Department of Justice-led Serious and Violent Offender Reentry Initiative, which reduces further criminal activity by violent ex-offenders, as was stated.

Another program the Department initiated is the Ready4Work program, which uses community and faith-based organizations to help those returning from prison find jobs and assist their transition into society. Through this program, we have seen lower recidivism rates and success at placing participants in jobs.

Finally, the Department manages other programs and initiatives that also contribute to the Prisoner Reentry Initiative, such as the Work Opportunity Tax Credit, the Federal Bonding Program, and the Incarcerated Veterans Transition Program, all of which are included in my written testimony.

Finally, one of the unheralded efforts has been this administration's efforts to break down agency and system silos and work together as Federal agencies to solve this problem. During the past few years, the Department of Labor has worked closely with Jus-

tice, Health and Human Services, Education, and HUD in support of the overall vision to ensure ex-offenders are integrated into communities and become productive members of society. This collaborative approach is reflected in all of our strategic investments whereby we leverage each other's resources and fully coordinate efforts. In addition, each of the agencies before you are breaking down system barriers at the State and local levels to foster a more integrated approach to serving ex-offenders.

Mr. Chairman, this concludes my oral remarks, and I have submitted written remarks for the record.

[The prepared statement of Mr. Bishop appears as a submission for the record.]

Chairman COBURN. Thank you very much.

Mr. Bogart.

STATEMENT OF ROBERT J. BOGART, DIRECTOR, CENTER FOR FAITH BASED AND COMMUNITY INITIATIVES, U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, WASHINGTON, D.C.

Mr. BOGART. Thank you, Dr. Coburn.

Dr. Coburn, Ranking Member Durbin, Senator Sessions, it is a pleasure to be here today on behalf of Secretary Alphonso Jackson, and thank you for the opportunity to testify on Federal assistance for prisoner reentry.

Every year, more than 650,000 men and women are released from America's prisons, many of them without a place to go, without a place to call home. The result is that many of those who leave our prisons go directly to the streets where they are extremely vulnerable to the temptations that exist there. The challenges of reentry are great, especially for those without the safety and stability of a home.

Dan Buck, the CEO of the St. Patrick Center in St. Louis, an exceptional organization that is the recipient of Departments of Justice and Labor prisoner reentry funds, explained the situation this way: You get a job interview. What address do you put down? What phone number do you list? You get kicked out of your transitional housing center at 6:30 in the morning. Your interview is at 11. Where do you go? What do you do? How do you stay clean? How do you stay out of trouble? And how do you succeed?

The answer to the last question is very clear. Many don't, as approximately two-thirds of recently released men and women are re-arrested within 3 years of their release. Dan Buck would say that the glaring hole in their reentry program is housing.

The system needs to be broken, not only for the sake of those in the community victimized by crime, but also for the sake of the men and women who are reacclimating back to society. Only comprehensive solutions that provide opportunities for self-sufficiency and dignity will be an effective catalyst for change.

Again, the St. Patrick Center is an exceptional example that provides these comprehensive, pragmatic, and dignified wrap-around services. With limited Government support, the center serves over 10,000 individuals and families annually and is Missouri's largest provider of homeless services. Nearly 60 percent of the men and women St. Patrick Center serves have a criminal record, and those

that participated in privately funded focus groups, receiving at least 2 months of clean, stable, dignified housing, experienced a 100-percent job placement rate. The rest of their client base experienced a 50-percent success rate, which is admirable but is still not 100 percent.

In his 2004 State of the Union address, President Bush proposed a 4-year, \$300 million Prisoner Reentry Initiative to reduce recidivism and help ex-offenders contribute to their communities, rebuild their lives, stay out of trouble, and stay out of the many paths that lead to prison. The objective of this initiative would be achieved by harnessing the resources and the experience of faith-based and community organizations like the St. Patrick Center and providing newly released prisoners with comprehensive services, such as job training, mental health counseling, transitional housing, and mentoring support.

Although the U.S. Department of Housing and Urban Development has requested PRI funding, it has yet not received any. A critical component of a successful Prisoner Reentry Initiative is providing housing because, as stated earlier, many newly released men and women need a place to reside immediately upon their release from prison, at a minimum on a temporary basis. If HUD were given PRI funding, it could then provide this very fundamental need to this at-risk population.

HUD's budget request for fiscal years 2005, 2006, and 2007 called for the provision of transitional housing as part of PRI funding. PRI funding is needed because HUD lacks the requisite authority to use the funds for the discharge planning of individuals from institutions. Therefore, the advantage of funding for the PRI is that HUD would be given authority to fund grantees providing housing specifically for ex-offenders who are not defined as homeless.

Given that adequate housing is an important component of successful reentry into society for these men and women, HUD respectfully urges Congress to appropriate \$25 million for this important initiative, as requested in HUD's fiscal year 2007 budget request. These funds would be made competitively available to faith-based and community organizations with established, proven success addressing the special needs of these men and women who have already struggled so much and have paid their debts to society. Organizations considered may already be involved with the Departments of Labor and Justice prisoner reentry efforts, thus building on their success.

This is a landmark opportunity. The strategic partnerships will help these men and women know the meaning of accomplishment, rebuild their dignity, and become taxpayers and not tax burdens.

Thank you sincerely for the opportunity to speak with you today, and I will look forward to your questions.

[The prepared statement of Mr. Bogart appears as a submission for the record.]

Chairman COBURN. Thank you.

Ms. Nolan.

**STATEMENT OF CHERI NOLAN, SENIOR POLICY ADVISOR,
CRIMINAL AND JUVENILE JUSTICE, SUBSTANCE ABUSE AND
MENTAL HEALTH ADMINISTRATION, U.S. DEPARTMENT OF
HEALTH AND HUMAN SERVICES, WASHINGTON, D.C.**

Ms. NOLAN. Mr. Chairman, Senator Durbin, Senator Sessions, I am pleased to be here on behalf of the Substance Abuse and Mental Health Services Administration to discuss our efforts in support of the important national issue of prisoner reentry.

During my tenure of Government service, I have seen firsthand the cycle of crime, arrest, incarceration, reentry, rearrest, and reincarceration, and the horrible costs this cycle has caused society, not only the direct costs of criminal behavior to law enforcement, prosecutors, and the jail and prison system, but the cost to victims of crime and the impact on the quality of life and communities all across the country.

Recidivism is not just a statistic but an action that has a ripple effect across many individuals, families, and institutions. It is because of my expertise and commitment to this issue that I was brought to SAMHSA last year to facilitate the connection between public safety and public health.

Studies have shown a significant number of these men and women have substance abuse and mental health treatment needs. A study recently released by the Bureau of Justice Statistics confirms that large numbers of inmates display symptoms of depression, mania, or psychotic disorder. In State prisons, 73 percent of female inmates and 55 percent of male inmates had mental health problems. In local jails, the numbers are similar. More than one in three State prisoners, one in four Federal prisoners, and one in six jail inmates who had a mental health problem have received treatment since admission.

The findings clearly indicate the tremendous need to connect released prisoners with mental health treatment in the community. The study also found that prisoners with mental health problems were more likely to have repeated periods of incarceration and substance abuse problems.

In the area of substance abuse among the jail and prison population, studies over the past two decades have consistently found that 60 percent of offenders tested at the time of arrest have admitted to or been found to have used at least one illicit drug.

SAMHSA is actively involved in a number of public safety/public health initiatives that deal with addressing individuals with substance abuse and/or mental health disorders who are involved in the criminal and juvenile justice systems. SAMHSA is also committed to partnering with other Federal agencies and to assisting the States and local communities through our criminal and juvenile justice grant programs.

SAMHSA was an original partner with the Department of Justice surrounding the Serious and Violent Offender Reentry Initiative that Assistant Attorney General Schofield discussed, contributing more than \$16 million to the effort. In addition, we are providing criminal justice, substance abuse disorder cross-training to all the grantees to improve the delivery of substance abuse prevention and treatment services.

We at SAMHSA are encouraged by the early measures of success of the initiative, and we anxiously await the findings of the impact evaluation. It is important to know what works surrounding prisoner reentry and the costs and benefits of various approaches. The most recent data on recidivism is almost 10 years old.

In the last few months, an exciting new partnership with the Department of Labor-led Prisoner Reentry Initiative was formed by bringing together the grantees of our Access to Recovery Program with the Department of Labor grantees. As a result of this effort, clients under PRI who have substance abuse treatment needs are eligible for treatment and recovery support services provided by our Access to Recovery grantees. Ten of our 14 ATR grantees match with the Department of Labor, including Illinois. This is another example how Federal agencies are leveraging dollars to support reentry efforts.

SAMHSA efforts also included funding 12 Young Offender Reentry Program grants in fiscal year 2004 and an additional 11 grants were awarded in fiscal year 2005. YORP is designed to provide funds to expand and/or enhance substance abuse treatment and related reentry services to youth populations under the jurisdiction of the juvenile justice system.

SAMHSA also funds 16 adult and juvenile drug court programs and nine family drug treatment courts, which provide a successful alternative to incarceration for defendants who cycle between addiction leading to crime, incarceration, release, relapse, and recidivism. Close supervision, drug testing, and the use of sanctions and incentives help ensure that offenders stick with their treatment plans while public safety needs are met.

Since fiscal year 2002, SAMHSA has funded jail diversion, targeted capacity expansion grants that divert persons with mental illness from the criminal justice system to community mental health and supportive services. At this point we have funded 32 such awards of up to \$400,000. These programs must build service capacity using four areas known to yield sustainable results: evidence-based services, creating service linkages, community outreach, and engaging in program evaluation and dissemination of those findings.

SAMHSA is committed to reducing recidivism by supporting recovery efforts. The connection between public health and public safety is a critical one, and we appreciate the interest of this Subcommittee in our efforts, and I will be happy to respond to any questions that you have.

[The prepared statement of Ms. Nolan appears as a submission for the record.]

Chairman COBURN. Thank you very much.

Ms. Schofield, one of my questions is: Why are we using 1994 data that took 3 years, 1997, and we get the data last year? And when are we going to see data that is more timely? Have we set up anything that says we are going to have a continuing monitoring of this that will be statistically valid so that we are not depending on, in essence, 12- or 13-year-old data?

Ms. SCHOFIELD. Senator, that is a good question. I actually have it myself on several BJS studies, and the answer is it is human subject research and it takes a really long time to gather the data.

The 3-year mark is a gold standard for recidivism. So what happens in a typical study is that after 3 years of release, you ask the State for names. It takes about a year to compile the names, to find people, to locate them. You try to get enough of a sample size so you will have a correct sample size. It takes you another 3 years to monitor those individuals. So now you are 6 years out. It takes another 2 years to evaluate that information, follow up. You know, if you have necessary—I think the last time we did a study of this magnitude, it started in 1994. In 1998, we got more funding. It took States 2 years to provide us with the additional information, and you are still, you know, hounding people and looking for that information. And so it was 2002 before we got the study out.

I have to tell you that the same thing will happen in another study if you are following people, as you would the ex-offenders. If they do not have a house to stay in or consistent housing, that is going to be a problem.

If we were to start a study today, 2006, it would be 3 years before we had the information from the States, probably another year to gather that information, and another 3 years to study those individuals. So you are talking—I did go to college—2012 before you would even get the information that you need in order to do that evaluation and research.

Chairman COBURN. Well, what would be wrong with all the grantees, all the States that get Federal money, saying you know this is going to happen, keep the data, knowing in anticipation we are going to be asking for it? In other words, there should be some strings—what I am getting to, and I am going to ask each of you this, is: What is the metric that we use to measure the grant programs that we are giving on whether or not they are successful? What is the metric and when will we know? And I would tell you on almost any scientific study, when the data is 9 or 10 years old, it does not really mean anything anymore. If we are talking about from 1994 to 1997 on recidivism rates—and rearrest rates really do not mean anything because if you have a criminal record and you are in the area, oftentimes you are rearrested for a short period of time until you are excluded, which says a whole other thing about some of our policing. But the point is that the rearrest record—it is the reincarceration or the reconviction record that we are really interested in. And why couldn't we make sure that signal goes out ahead of time with all these grants?

One of the things we are going to be looking at as a condition of the grant is that you will keep track as a State, here is who is coming out, here are the ones that are on parole, here are the ones that are incarcerated. I mean, the States have the numbers. They have the names. It is anticipating what you are going to need. Why could we do that to shorten that period of time where we have good data?

Ms. SCHOFIELD. We are trying to make sure that our National Criminal History Improvement Program has all of the funding that we have requested from Congress to make sure that States are able to build on that information. The system is not complete. I mean, I cannot sugarcoat it for you and tell you that. We work with grantees on a regular basis. You know, the Federal Government has gotten a lot better at evaluating programs and making sure

that the funding goes toward the stream that we have asked it to go. The States are getting much better at keeping that sort of information. But we do have a lot of work to do in order to make sure that NCHIP is a sustainable program and that we have gotten the data that we get.

The first answer I gave you was strictly about human subjects, so I misunderstood your question.

Chairman COBURN. So of all the grants that DOJ makes, you all now have a metric attached to that, so you are going to be able to make a decision on those grants, on whether or not they are actually accomplishing what you want?

Ms. SCHOFIELD. Every single grant that I have signed since I have been at the Department of Justice has performance measures, and, yes, sir, we are tracking and evaluating those programs.

Chairman COBURN. And so how often do you release that data? How often do you come to a conclusion about that data?

Ms. SCHOFIELD. Well, our Office of Comptroller, what we do in the Comptroller's Office or CFO's Office is, as we gather that information on the grantees on a regular basis, you know, they decide how many of the grantees they are going to evaluate and audit this year, and so we go through that process. You know, you have to go through like a rolling basis to make sure you are getting to all the grantees. But that is part of our evaluation program.

Chairman COBURN. Well, will you supply to this Committee what you have seen thus far, here is what we have granted, here is what we have gotten back, here is how we evaluate that specifically?

Ms. SCHOFIELD. Absolutely, yes.

Chairman COBURN. All right. Thank you. My time has expired.

We will go on the early-bird rule, if you do not mind,

Senator Sessions. Senator Durbin.

Senator DURBIN. Thank you, Mr. Chairman.

I think we will all agree that if a person has a mental illness that is part of the burden they are carrying in life, and they also commit a crime and then leave a corrections facility, that is still a challenge. That is an issue that still has to be dealt with. The same thing is true with substance addiction, whether it is alcohol or drugs. These are things that have to be dealt with.

Some people may have the will to cure themselves of certain addictions, and I pray to God more people will. But most of us need a helping hand.

But I want to go to another issue, and that issue is education. I think everyone here in some way or another has said that if we will educate and train the people who are incarcerated, they are less likely to commit another crime. Is there anyone who disagrees with that premise? That is kind of an accepted—I think it has been proven out over and over again.

Having said that, though, we have created some interesting—I call them "Faustian choices," impossible choices, when it comes to policy, and let me give you a couple of examples. There was a time when a person incarcerated in my State, and most States, could go to a community college while incarcerated and pick up courses to prepare them for a job when they are released. But, of course, they do not have a regular income of any value, and so they had to borrow the money or apply for a Pell grant.

And so years ago, we made a decision—and I was part of that decisionmaking—that since we have a limited pool of Pell grant funds and cannot take care of all the kids who have not committed a crime and want to go to college, we were not going to provide Pell grants for those who were in correctional institutions. And the same thing with student loans.

Then we took it a step further and said if you have been convicted of any drug offense after you leave the correctional facility, you are still disqualified from receiving a Pell grant or a student loan.

As I understand it—and my staff is running back and forth to double-check that this is still the case. I think it is. And so for any drug conviction, large or small, we are basically reducing the possibility or opportunity for additional education to avoid recidivism. So is it time to change this law?

Mr. BISHOP. I am from the Department of Labor. I will take a crack at addressing this.

[Laughter.]

Mr. BISHOP. Even though Pell grants are out of the Department of Education. I cannot address the Pell grant issue specifically, but I can address the issue of access to employment and training.

One of the things we have been working on—Senator Sessions knows this well because he sits on the Senate HELP Committee—is trying to reauthorize the Workforce Investment Act. Under the Workforce Investment Act, roughly \$15 billion from various Federal agencies go to States and local communities to supply individuals, citizens, with employment training services. And one of the problems we have identified, the administration believes, is too much of that money goes to infrastructure and duplicative programs. And what we have essentially asked Congress to do is reform this act to allow for what are called career advancement accounts of up to \$3,000 per year so that individuals like ex-offenders can get access to the education and training they need.

Now, one of the issues we—

Senator DURBIN. If I can interrupt you, I am sorry. So we have a program that will offer some \$3,000 to the ex-offender—

Mr. BISHOP. We are asking for that.

Senator DURBIN. Asking for that. And that would allow them to take, let's say, a community college course. Is that correct?

Mr. BISHOP. Correct. And that is about the average of a community college education for 1 year.

Senator DURBIN. While at the same time we are saying in the law no Pell grants, no student loans, this program would say \$3,000 to ex-offenders for that purpose. Since I do not have a lot of time, if you will allow some others to comment. I think, Ms. Schofield, you were going to respond to my question about Pell grants and student loans.

Ms. SCHOFIELD. Actually, sir, what I was going to say is that I believe that by the time offenders come out of jails and prisons, we have failed them already as far as the educational system is concerned, because a lot of them do not have high school diplomas, which is why, you know, most people still, for robberies—I mean, the highest numbers of crime that are committed by people are people that steal for money, whether it is motor vehicle thefts or

robberies or simple assaults or other types of things like that. And they do that because they do not have a way of obtaining money.

So I think by the time people get to a point where they are in a community college, we may have failed them at an earlier age.

Senator DURBIN. I went into Englewood, which is a pretty tough section of Chicago, because a local group called CeaseFire brought together gang members for me to meet with. And I sat down with 10 African-American males all under the age of 20, all high school dropouts, all who had been incarcerated. And I asked them, "How do you get by?" And they say, "We hustle." I said, "Well, what does that mean?" "It means we live off the street." "Well, how do you live off the street? Do you sell drugs?" "Oh, that has been exaggerated." I am sure.

You know, but the point is no marketable skills, 20 years of age, already incarcerated, dropped out of school. Some of these will never put their lives on the right track. I am thinking of some others, though, given a chance with a GED and perhaps some college courses or training courses of value, can come out of the prison experience ready to really step forward in life. And I worry because I think we have cross-purposes here. I think you have a good idea, Mr. Bishop, some of the things you are talking about. But I think some of the laws we pass make it more difficult.

Now, we get back—and I will end, Mr. Chairman, very quickly by saying we get back to the ultimate moral dilemma here. There is not enough money for the kids who did not commit crime. Okay? It has been stuck at \$4,015 a year for 6 years. The cost of higher education has gone up 44 percent in the last 6 years. We have just raised student loan interest rates by 2 percent on every student in America. We will not let them renegotiate lower interest rates on their loans. They are piled up with debt. That is the other side of this equation.

So we are playing less than a zero sum game here, but we understand if we are serious about recidivism, some of these things have to be addressed honestly.

Thank you, Mr. Chairman.

Chairman COBURN. Just one note of clarification. The Workforce Investment Act has in excess of \$1 billion that is not spent every year now. So we have the money to do this, and I will pledge to you I will work with you to try to get this money redirected in that direction for education.

Senator DURBIN. Good.

Chairman COBURN. Senator Sessions.

Senator SESSIONS. Thank you, Mr. Chairman, for having this hearing. I think it is very, very valuable.

My experience, having seen it up close for quite a number of years, is that we have an incredible amount of money being spent that is relevant to dealing with crime but is not spent in a coherent fashion.

Now, my housing man here, I am not sure he is talking to the probation officer for the guy who just got released from prison. The job man, I am not sure who knows what is available. We have got the Office of Justice Programs here that is running programs, but I guess the Bureau of Justice Statistics, BJS, do they run the tests? Do they run the studies for accuracy and completeness?

Ms. SCHOFIELD. Actually, it is our National Institute of Justice that runs the programs and evaluates them.

Senator SESSIONS. NIJ runs them. Well, there we go with a lot of different studies. And so then we have got mental health.

Now, the one program—and I know Senator Durbin also is interested in all of this, but the one program that seems to me to come closest to a workable model is the drug court program. You mentioned that, Ms. Nolan, and this is what happens: They come in and, for the most part, they plead guilty, if they are guilty of a drug offense. In some programs they do not enter a plea. They enter a conditional plea. And they go into this voluntary program in which they are, as you said, supervised, drug testing—and I forgot your third one, but that—

Ms. NOLAN. They are held accountable, sir.

Senator SESSIONS. Held accountable. They are held accountable. So the person is now released.

Now, somebody is monitoring that person by name. They know that person. The judge has released him. He knows that person by the name. The person has been called before that judge, and he is told, "We will release you. You are out, but you have got to be accountable to these standards, and you are not going to get back on drugs, and you are going to have a curfew."

They did this a bit in Boston and had this incredible drop in teenage murders in Boston. The probation officers went out at night to make sure they were complying with curfew, not just the way it really works is you have got a curfew, you have to be in at 10 o'clock, and nobody ever goes to check if they are in at 10 o'clock.

They say do not use drugs, but many places still do not test to see if they are using drugs. If they are using drugs, they are getting into trouble. Sooner or later they are going to be arrested.

So you have got all these mental health moneys that we are spending, a lot of housing moneys we are spending, a lot of Education and Labor money we are spending. If that is all available to the parole officer or probation officer who supervises the individual, then something can happen, because the judge now is looking right at it, and if they do not comply with the probation officer's requirements and the judge's requirements, really, then he puts them in jail for a weekend or 2 weeks or gives them one more chance, or a month or throws them back in the slammer to serve their full time, whatever he decides is the appropriate response.

I see some nods. Ms. Nolan, do you think—and mental health, I mean, we know people have got mental problems, and that probation officer should be able to call on mental health, shouldn't he, and develop a post-incarceration plan that fits the needs and capacities of this individual?

Ms. NOLAN. Yes, sir. And one of the things that we are doing—

Senator SESSIONS. Well, would you agree that one of our problems is a lack of coordination and application of all these resources in a coherent way? And wouldn't the best person to be able to handle that would be the person like a parole officer who is assigned to this individual when they are released?

Ms. NOLAN. Yes, sir. We have seen tremendous success with the case management approach with our programs at SAMHSA that

are not only—they work with these individuals that need substance abuse treatment or mental health services. They work with them. They are able to help counsel them. They are able to help refer them to treatment when needed. And it is very important, and we do hold our grantees accountable for making sure that they are linking with the criminal justice side of the operation.

Senator SESSIONS. Some mental health programs, they get State money and Federal money.

Ms. NOLAN. Right.

Senator SESSIONS. Sometimes they say they are too busy, they have got a waiting list, they do not have time for this new prisoner that just got released, come back in 6 months and we will put you on the list, are some of the things that happens. Isn't that correct?

Ms. NOLAN. Yes.

Senator SESSIONS. Now, in housing, just briefly, because my time has already gone over.

Mr. BOGART. Absolutely, sir. One of the constraints that we have at HUD is we do not have specific funding for prisoner reentry. So as a result, because of statutory reasons, we do not have funds to spend on this particular issue, and that is why we are asking Congress to appropriate the \$25 million to do that, because if you talk about coordination, you know, when we go out and do—

Senator SESSIONS. Well, how do you start this program? Do you pick out \$25 million, do you pick out 30 cities in America and run this program?

Mr. BOGART. Well, sir, that was one of the things I was going to get to. The Departments of Labor and Justice have already done a lot of the heavy lifting. They have identified 30 organizations in a number of cities where they are combining their resources. So here we have a situation where, with the right funding, it is feasible that we could partner with them. They are already three-quarters of the way there or halfway there. We come in and provide the transitional housing services that these men and women who have just come out of prison desperately need.

Senator SESSIONS. You are coordinating that with the Department of Labor?

Mr. BOGART. I am sorry?

Senator SESSIONS. You are coordinating with who, the Department of Labor?

Mr. BOGART. We would take that—

Senator SESSIONS. That is not the person to coordinate because he does not know the name of the person that got out of jail. I mean, that—

Mr. BOGART. But the—

Senator SESSIONS. My time is over, and I hate to—I know, Mr. Bishop, if you could point out, am I on to something here?

Mr. BISHOP. You are. I think the premise of your question, as I understand it, is each of us funds, to the tune of billions of dollars, various systems. I fund a work force investment system—

Senator SESSIONS. Fifteen billion on—

Mr. BISHOP. Out of agency it is about 9.5, but under the one-stop career centers, HHS has moneys, the Department of Education has moneys that are all supposed to be accessible by individuals through the one-stop systems, and it is to the tune of about \$15

billion per year. HUD has its system of housing authorities that it helps fund, and HHS and Justice.

So what we have been trying to work on at the Federal level is—and many of us meet on a continual basis, and our career staffs are meeting on a continual basis, to try to institutionalize this notion that we have to break down these system barriers from Federal to State to local to institutionalize change, because I think you are exactly right, that the issue isn't always do we or do we not have enough money. The question becomes how is the money currently being used that we fund at the Federal and State and local level.

Senator SESSIONS. Exactly. I hate to run, and I have something I have got to go do at this moment. But, Mr. Chairman, the only person, I think, that can handle this is the parole officer whose responsibility is for post-incarceration supervision. And the way this system is so simple that it should work is that person should evaluate the person being released before they are released. If they have got a mental health problem, they deal with it. If they do not have a house, they deal with it. If they need job training, they deal with it. They call these agencies, and they should respond to them and put them high on their list because these are at-risk people, and existing moneys out there ought to be enough. To create one more program is difficult.

Chairman COBURN. Senator Sessions, you missed my opening statement where I praised western North Carolina and eastern Missouri because the parole officers have done exactly that. Their unemployment rates are less than the community as a whole and the recidivism rate is down, and so your point is well taken.

I also would put in for the record what Minnesota is doing through MinnCorps because they have coordinated everyone, and their recidivism rate is half the national average because they are coordinating everything. So I am just going to ask—I am going to submit some written questions to you because of our time constraints today, but one of them that is coming to you: What are the programs? What are you measuring? And what are you finding? And the second question that is going to go to each of you is: How are you coordinating with every other agency in the Federal Government to make sure those grants go to the same people so that it can be coordinated?

Let me thank you. We could go on for hours. I have got a list of questions, and you will get all of those questions as well. And if you would be as timely as you can, somewhat more timely than OMB in terms of screening your testimonies today, I would very much appreciate it. This is not something that we are going to give up on. If we want to make an impact on our society, a major impact, the way we are going to do that is the care and treatment of prisoners. What they learn in prison they are going to apply on the outside. And so we have to make sure that that is a positive experience rather than a negative experience.

Thank you for your testimony.

Chairman COBURN. I call up our next group of witnesses.

Our second panel, we have Mr. Roger Werholtz. He is the Secretary of Corrections, Kansas Department of Corrections. Mr. Werholtz was appointed Acting Secretary of Corrections by Gov-

ernor Bill Graves on September 30, 2002, and was appointed Secretary of Corrections by Governor Kathleen Sebelius on January 13, 2003. He served as Deputy Secretary of Corrections since 1987 and has supervised all three divisions of the Kansas Department of Corrections: Community and Field Services; Programs and Staff Development; as well as Facilities Management. Thank you for traveling all the way here to do this.

Next, and not least, is B. Dianne Williams, President and Chief Executive Officer of the Safer Foundation. She was named President of the Safer Foundation in February 1996. The Safer Foundation is one of the Nation's largest private, nonprofit providers of social services, education programs, and employment training and placement exclusively targeting people with criminal records. Under her leadership the Safer Foundation has incorporated the "What Works" principles adopting evidence-based program designs and evaluations. Under contract with the Illinois Department of Corrections, Safer manages two large adult transition centers with a total of 550 beds.

If you would both stand and be sworn in, and I will do it the short form: I swear that the testimony I am about to give before this Committee is the truth, the whole truth, and nothing but the truth, so help me God.

[Witnesses repeat oath.]

Chairman COBURN. Or you can say "I do."

[Laughter.]

Chairman COBURN. Mr. Werholtz, please give us your testimony.

**STATEMENT OF ROGER WERHOLTZ, SECRETARY, KANSAS
DEPARTMENT OF CORRECTIONS, TOPEKA, KANSAS**

Mr. WERHOLTZ. Thank you, Chairman Coburn, Ranking Member Durbin. I appreciate the opportunity to testify today. My name is Roger Werholtz, and I currently serve as the Secretary of the Kansas Department of Corrections. I appreciate the chance to comment on funding for prisoner reentry and the relationships between Federal agencies and the State Departments of Corrections.

Every year more and more people are coming out of prison and jail, and the way we have traditionally released and returned them to the community is making neighborhoods less safe, less healthy, and less stable. Prisoner reentry also impacts our State and Federal budgets. Spending on prisons and jails has soared from \$9 billion to \$60 billion over the past 20 years, and despite all of this spending, recidivism rates are as high as ever.

When such a large percentage of people released from prison fail, it places a greater financial burden on taxpayers without substantially increasing public safety. Corrections officials face the challenge of reinventing our corrections system to drastically reduce recidivism rates, and together we can improve public safety, generate savings, and strengthen neighborhoods.

Federal agencies providing funding to organizations such as mine that allows us to pursue innovations or put in place resources that would otherwise be beyond our reach. In the current State fiscal year, my State of Kansas will expend \$1.9 million in Federal grant funding. Now, that comprises only 0.71 percent of the Kansas Department of Corrections' annual budget, but for that less than 1

percent of our budget, the impact on our agency and the citizens of our State is huge. With these Federal funds and a blend of State, local, and private revenues, we will be able to provide a variety of services to crime victims and assist in the successful reintegration of offenders into their families.

Grant programs such as the Serious and Violent Offender Reentry Initiative and the Violent Offender Incarceration/Truth in Sentencing Program have significantly influenced State-level correctional practice and State sentencing policies. In Kansas, the small reentry program initiated with SVORI funding has served as a model that has heavily influenced the training of KDOC parole and facility employees regarding effective strategies for offender supervision. It has helped us to dramatically reduce the number of parolees being revoked and returned to prison. Our SVORI-funded program is being evaluated by the University of Kansas and is also part of a larger national evaluation funded by a separate Federal grant. Our results to date are so encouraging that the State and one of our largest counties have invested significant amounts of money to replicate the strategies in other cities in Kansas, but I must caution that these numbers are still preliminary and we will need to observe the impact over time to accurately judge the effectiveness of these efforts.

Eighteen months ago, Senator Brownback challenged a bipartisan group of elected officials and community members gathered in Wichita by saying, "I want to see recidivism in this Nation cut in half in the next 5 years, and I want it to start in Kansas."

Using the model developed with SVORI resources, the Department of Justice technical assistance and technical assistance from National Institute of Corrections and research and technical assistance from the Council of State Governments, we are well into that initiative. We have made significant progress over the last year. We have reentry programs underway or being established in our three largest metropolitan counties, and the Shawnee County reentry program is receiving national recognition.

The State has established the Kansas Reentry Policy Council, an interagency and intergovernmental branch coordinating body, and the State's efforts are achieving measurable results. The number of parolees who failed to meet conditions of supervision and were returned to prison dropped significantly, by 26 percent in the last 2 years, and in the last 4 months those numbers have been cut in half. As a result, the overall prison population shrank rather than increased, and Kansas has been able to avoid spending revenues on increasing prison capacity.

I also appreciate the Committee's interest in our interaction with Federal agencies around reentry. Federal agencies such as the National Institute of Corrections, the Bureau of Justice Assistance, the Bureau of Justice Statistics, and the Office of Justice Programs regularly provide opportunities to improve correctional practices through very modest investments. These agencies provide technical assistance and training opportunities in which State and local leaders can have direct access to the most current research and thinking on current correctional practice. The research and analysis performed and disseminated by Federal groups such as the Bureau of Justice Statistics are invaluable in assisting us and informing our

own Governors, legislators, the media, and the public about the true nature of the problems we face and the most effective responses to those problems.

Recently, the Association of State Correctional Administrators and the Bureau of Justice Assistance entered into a joint project to establish a clearinghouse that would assist State corrections agencies to track Federal funding opportunities and compete more successfully for those resources.

In summary, I would like to characterize our overall relationship with our Federal agency partners as highly collaborative, productive, active, and respectful. We are actively engaged with many of those Federal agencies with whom we most closely associate, to further enhance our ability to carry out our respective missions. I am grateful for the opportunity to brief the Committee and would be pleased to answer any questions that you may have.

[The prepared statement of Mr. Werholtz appears as a submission for the record.]

Chairman COBURN. Thank you, sir.

Ms. Williams.

STATEMENT OF B. DIANE WILLIAMS, PRESIDENT AND CHIEF EXECUTIVE OFFICER, SAFER FOUNDATION, CHICAGO, ILLINOIS

Ms. WILLIAMS. Good afternoon, Senator Coburn, and my great Senator Durbin. I thank you for this opportunity to testify on behalf of the community-based organizations that are on the front line. They are addressing the needs of former prisoners as they return to their communities.

I thought I would start by sharing a story about one of our clients. After all, reentry is about real people with real families and from real communities.

Joshua Hodges is one of our stars. He is almost 21 years old and is attending Chicago State University, with a goal of going on to earn his MBA so he will be able to support himself, a future family, and help others in the community. Joshua believes he is an entrepreneur.

Joshua had been living at Aunt Martha's House, a homeless shelter that accepts teens, and working for some time when something happened that changed his whole life. He got arrested and spent 3 months in the Cook County Jail. Josh had no previous record and received 2 years' probation.

While he was incarcerated, one of his cellmates told him that Safer helped ex-offenders obtain a GED and find employment. When he was released, he immediately enrolled in our Harvey Employment and Learning Center, which is a federally funded program, and embraced the program and the staff with a fury. At the end of the 2-month GED session, Josh passed with a score of 2,780. He only needed 2,250. So he did not pass by the skin of his teeth. He did a great job.

Working with our staff, he completed his individual service plan, college financial aid forms, enrolled at Chicago State, and at the end of his first semester had achieved a GPA of 4.0. At Safer, we have been working to reduce recidivism for 34 years by supporting

the efforts of people like Josh with criminal records to become productive, law-abiding members of their communities.

I am pleased the Subcommittee is taking up the issue of Federal support of prisoner reentry today. In the past, reentry has often been considered a State or local issue, and most national public policy decisions have been made out of the concern of supporting people with criminal records sends the wrong message. But I am encouraged that Washington is beginning to think differently, to recognize that we cannot continue to utilize incarceration as the answer to public safety.

To truly impact the growing numbers of people going to prison, education, vocational training, and employment options that allow for a living wage must top the list. They are critical, but cannot be offered in a vacuum. Treatment, housing, and case management must be a part of the solution given the complex and multifaceted issues surrounding former prisoners.

For example, Chicago has benefited from the importance the Ready4Work Program and the Prisoner Reentry Initiative both place on partnerships. These Department of Labor funds have enabled Safer to formally partner with nine smaller community and faith-based organizations and thereby support their capacity to provide mentoring and wrap-around supports to those returning from prison. We have been free to do what we do best, which is to specialize in job placement and retention. Our partners are also free to do what they do best: ensuring that the returnee's more personal needs were being met. We believe that this unique partnership has been critical to the significant decline in recidivism for our Ready4Work and PRI clients.

At the end of year three of Ready4Work, we have served over 430 returning prisoners with less than a 10-percent recidivism rate. Congress must continue to provide leadership and the Federal Government must continue to fund experts to provide technical assistance and capacity building. Only then will States and local jurisdictions have the ability to implement program models that work and bring them to scale rather than spending precious resources reinventing the wheel and/or developing their own expertise.

Legislation such as the Second Chance Act, authored by Senators Specter, Biden, and Brownback of the Subcommittee, begins to enable communities to have planned and coordinated support for people returning from prison.

In closing, let me just underscore that no single intervention will solve the reentry problem, but the research findings are clear. Education and employment have the greatest impact on recidivism.

The other reality is that the majority of individuals leaving prison and returning home or returning to communities that are disproportionately low-income, crime-ridden, home to racial minorities, and lacking in the needed social services and supports that are going to enable returnees to succeed. As a result, the majority commit a new crime or violate the conditions of their release and return to prisons to begin the process all over again, leaving our Nation to confront the highest recidivism rate in its history.

While the success or failure of return falls most heavily on the returning individual, the decisions that lead to success or failure lie with that person. As a society, we must equip the individual.

On behalf of Josh, the communities in which Josh and his colleagues live, and people like Safer's employees who work so hard on behalf of those returning from prison, I will leave you with six brief recommendations.

One, ensure that Federal funds are used to support comprehensive reentry initiatives. Direct funds toward community-based groups that are in a position to provide coordinated services, with a focus on hard outcomes.

Two, continue supporting what we know works via the Prisoner Reentry Initiative, with an added transitional employment component. And I hope you will ask me about that transitional employment component.

Three, encourage innovative statewide solutions that utilize a justice intermediary to coordinate city, State, and county efforts under a coordinated umbrella.

Four, reinstate access to Pell grants or Pell grant-like funding during prison so that prison time can be used for educational and vocational preparation. Make sure those efforts are tied to the labor market.

Five, encourage the Department of Labor and Department-funded State agencies that review labor shortage projections to coordinate efforts of targeted training with prison systems.

And, six, increase the Work Opportunity Tax Credit from \$2,400 to \$10,000 so that employers are more interested in hiring people.

Thank you again for this opportunity to testify this afternoon.

[The prepared statement of Ms. Williams appears as a submission for the record.]

Chairman COBURN. Thank you, Ms. Williams.

A lot of what you said, Ms. Williams, and what I think you all are doing is a coordinated, comprehensive approach. And what we see—we actually talked yesterday to Michigan, Minnesota, and Montana, which are seeing some successes, much like what I think you are about to see in Kansas.

Recognizing we live in a limited budget area—I mean, it is coming. It is going to get worse. It is not going to get better. What is your advice to us on how we make what we do—the limited amount of money that we put out there, how do we make it effective? Some of it was what you suggested, but how do we use that money to leverage that to get other States to do what you are doing? Because this is really an investment. In Kansas, every person you do not have incarcerated is a win-win.

Mr. WERHOLTZ. That is correct.

Chairman COBURN. It is a double win. So what would be both of your advice to us in terms of Senator Durbin and myself? How do we stimulate, with the limited amount of dollars that are going to come from the Federal Government? And it is going to be limited. You should not have any expectation that it is going to increase. It is not. What should we do?

Ms. WILLIAMS. I will offer you two suggestions. And if you would let me, I would probably give you 40.

Chairman COBURN. Well, I probably might even let you. We have a meeting with Secretary Rumsfeld and some of the Defense Department here in a minute, but I am willing to listen up until that time.

Ms. WILLIAMS. One of the things we need to do is we need to make sure that those partnerships are not just limited, quite frankly, to the Federal Government, to State government, and even to not-for-profits. We need to include the for-profit sector in those partnerships.

The transitional jobs program that I mentioned to you earlier is one in which we have actually formed a staffing company. We formed a limited liability corporation under our not-for-profit, and we actually have a contract with a for-profit company to staff 220 entry-level positions and the related supervisors for that staff, for that not-for-profit. We structured it just like a staffing company, and the for-profit sector would do that. So that as we get better at it and as we are able to grow, we will have dollars to reinvest on the program side, because what we know is that just finding somebody a job and sending them there for the first day is not all that is needed to make it successful.

And so we do surround that person that we place in those transitional jobs with the services that they need: access to GED classes, what we call retention specialists and what other people might call case managers. And we actually provide that support onsite of the workplace for those clients.

Chairman COBURN. Could we also not change the rules for housing through HUD to say that if you are coming out of a prison you can have access to HUD housing?

Ms. WILLIAMS. That would be—

Chairman COBURN. Why couldn't we do that?

Ms. WILLIAMS. That would be tremendous to have that shift occur.

Chairman COBURN. I can tell you, in Oklahoma we have a lot of empty HUD housing. Why should we say you are ineligible for that?

Ms. WILLIAMS. I do not think we should say that. And just as you talk about Oklahoma, you can certainly imagine the communities in Chicago where there is housing that could be rehabbed. People could move into those houses. They could have, if you will, support to learn how to operate as perhaps a condo association. Some of that money that they are paying for rent could be used or held, if you will, in escrow as part of a downpayment. They could ultimately buy those units, and then they could build other housing to have the same sort of thing occur.

Housing is critical, and you are absolutely right that we need to move from that.

Chairman COBURN. Mr. Werholtz.

Mr. WERHOLTZ. Let me make three suggestions and run through them quickly. I know your time is limited.

One is funding innovations. The second would be improving States' data systems. I know there was a discussion with the earlier panel about frustration with information. Part of that is because States like mine are working with extremely archaic data systems where there is a lot of information in there that is very difficult to get back out. And then the third piece is one that I do not think costs anything, but that is delivering a message. One of the reasons why we have been successful in what we have done over the last 2 years in Kansas is because it is a bipartisan effort.

My Governor is a Democrat, Senator Brownback obviously a conservative Republican, and both of them are saying the same message. And that has gone a long way to lower the temperature about the issue offender reentry and how to manage crime and corrections.

I think oftentimes we get wrapped up in the issue, which Senator Durbin had alluded to, about what the men and women incarcerated in our system deserve. Well, we are mad as hell at them. They may not deserve anything. But I think we are asking the wrong question. It is what we deserve as taxpayers and law-abiding citizens, and what we deserve is for them to stop hurting us and stop victimizing us. And when we reframe the debate that way, I think it leads to a whole different set of answers that otherwise cannot be considered.

The innovation funding that I mentioned, going back to the SVORI program, relatively small amount of investment in Kansas that allowed us to experiment with a new program which, as a result of what we learned in that, we retrained all of our parole staff and are in the process of retraining our facility staff and community corrections programs, which are county-funded programs, redefining the role of a parole officer to a case management kind of model, so that their primary responsibility is helping the offender succeed and comply with conditions of release in the first place, rather than catching them violating those conditions and reacting to that.

But that is a large leap that takes some political cover for line staff to feel safe in doing that, because when there is a tragedy, people are going to sweep down, second-guess the decisions that were made, and it is that line officer that bears the brunt of the criticism oftentimes.

Chairman COBURN. But the measurement of that is what do we expect, and what we expect is to have a correction take place during corrections and create opportunities so that it is not there again.

Mr. WERHOLTZ. Precisely.

Chairman COBURN. Senator Durbin.

Senator DURBIN. Thank you, Mr. Chairman. And, Mr. Chairman, at the risk of throwing raw meat your way, Mr. Werholtz did not read his entire statement, and I want you to be sure to get to page 5.

My colleague here is a watchdog on earmarks, and since I am on the Appropriations Committee, I view this issue a little differently than he does. But I have argued that there are earmarks that have nothing to do with money but end up having a lot to do with money. And Mr. Werholtz gives an example of an effective lobbyist in Washington who stuck a word in a bill and—well, why don't you explain it?

Mr. WERHOLTZ. That is in my written testimony, and I am referring there—at least the piece I think you are referring to is in the VOI/TIS funding. One of the major frustrations that we experienced when we received our VOI/TIS grants and wanted to purchase prison capacity because we were over capacity at the time and were trying to expand our system, we learned that we could

only purchase that prison capacity from a private vendor. We could not purchase it from another Government entity.

What that meant was that we had to ship inmates out of State further away from their families, where it was more difficult for us to monitor their care and confinement, because we could not use VOI/TIS funds to lease jail space from our local sheriffs who had available and adequate jail space to provide—

Senator DURBIN. Which put a strain on families and cost a lot more.

Mr. WERHOLTZ. Absolutely.

Chairman COBURN. Which increases recidivism.

Mr. WERHOLTZ. Correct.

Senator DURBIN. Maybe I can join my watchdog on this effort here and maybe look at—

Chairman COBURN. I have got a whole lot more for you to join. [Laughter.]

Senator DURBIN. Ms. Williams, thank you for being here. Thank you for Safer.

Ms. WILLIAMS. Thank you.

Senator DURBIN. You are the best, and you have such a great reputation for what you do.

I am going to open a subject which, sadly, we ought to devote more than one hearing to. But I think it is part of the reality of this conversation about recidivism.

One in three black men in America with only a high school diploma will go to prison before the age of 40. In the city of New York, two out of five black men are jobless, and a key factor in this low rate of employment among black men is the high percentage of those with felony convictions. The statistics are grim, and I have used them in this room many times. African-Americans representing about 15 percent of our population and about 15 percent of the violations of drug laws are arrested, tried, convicted, and incarcerated at much higher percentage rates. I think the figure is more than half of those who go to prison for drug crimes are African-American men.

Ms. WILLIAMS. That is correct.

Senator DURBIN. Now, the analysis—and this comes out of New York, a man named David Jones from the Community Service Society. Are you familiar with Mr. Jones?

Ms. WILLIAMS. Yes.

Senator DURBIN. This is something I want to read to you because I think it is worth your comment, and maybe Mr. Werholtz as well.

An experiment was conducted where black men and white men with equivalent resumes of education and experience posed as applicants for entry-level jobs. The white men admitted to having a criminal record. The blacks had no record. The result? White men with criminal records had a better chance of getting a job offer or a call back after an initial interview than did black men without records. And black men with criminal records were only about one-third as likely to get a job offer as were white men with criminal records.

Talk to me about the issue of race and recidivism.

Ms. WILLIAMS. There is absolutely a correlation. If we look at the whole issue of the kinds of communities the people who are going

to prison come from, if we look at the poverty level, the education level, we look at, if you will, every aspect of that community, they are clearly inner-city communities populated with African-American men who have grown up in many cases not going outside of a four- to six-block radius and having no expectation that their lives would look anything like anything outside of that four- to six-block radius, which means that they have an expectation that the only way they are going to have an opportunity for, if you will, wealth or some status is that they are going to be part of the drug trade or they are going to be part of some other sort of criminal activity. That is the only one that shows up that way in their community.

When we come to actually looking at the kinds of crimes that are committed, to your point, they are no different in Chicago than they, quite frankly, are in Highland Park. How they get treated is what is different. What happens to a person once they have been identified as having drugs in their possession is different. So the arrest rate is different for those who are caught with drugs. Lots of studies have shown that the incarceration rate, as you are saying, is different for those who are convicted of having those drugs. And then we still have that population of people in the world of corporate America or employment that have with them prejudices that they were raised with, so they see a black person, they think they are not going to work. They see a black person—not only will they not work, they will not come to work. There are all of those stereotypes that are still sitting out there from many years ago that have not been cleaned up. And what we all know is that that is not necessarily true.

Do you want to hear my personal story? I started out in public housing in the city of Chicago. I since that time have gone on to school. I have a master's degree in business from Northwestern University. It has nothing to do with intelligence or capability. It has everything to do with belief that you can do it, that there is an opportunity for you to do it, and then to have the space to do it.

Senator DURBIN. Thank you.

I see Senator Brownback is here, and I know he has a witness he would like to ask a question of, so I am going to end at this point. Thank you.

Chairman COBURN. Senator Brownback.

Senator BROWNBACK. Thanks very much, and thanks, Senator Durbin, for recognizing and passing this on to me.

Secretary Werholtz, thanks for being here. I stayed in one of your facilities a couple months ago at my own volition. I was not convicted. And I came out at my own volition.

[Laughter.]

Senator BROWNBACK. I want to hasten to add that.

As I was taken off and I stayed there overnight in the facility, as I was leaving home with a bag packed, my 8-year-old daughter said, "Bye, Daddy who is going to prison." And I unfortunately then told that story in the prison, which was a story that a lot of the men there could identify with, and they were not laughing about it. So I did not know my audience well in saying that, because a

number of them have children on the outside. It is a very painful and very difficult thing.

I want to compliment you on what you are doing, and I want to compliment those around the country that are doing these innovative type of programs and really working on mentoring with the individuals before they leave prison and then staying in that relationship once they get out of prison.

It strikes me that the guys I have met, both in the facilities there, in homeless shelters here in D.C. and other places, that one of the big things that happens to them is they get separated. They get isolated. Something happens. They start using drugs or alcohol. They break away from their family. They break away from their friends or they get separated, and then they start more criminal activity and it just goes down. And they need connections. They need people to invest in their lives.

That is what I saw in your facility. We have these people coming in from outside, investing in their lives, investing not only when they are there but also just before they are leaving, and then after they leave the facility. And I think, Chairman, what the whole thing really requires is us to just say that these people have worth. Yes, they have committed a horrific crime. They have done a very bad thing. They owe a debt to society. They have got to pay that debt to society. We have got too many people in prisons, and at some point in time, most are going to come out. And we do not want them to do it again. And we have not, I think, answered that question adequately.

So that is why, you know, I compliment some of the work. I do not think we are doing enough of it that we are going on to see that they do not go back in and do it again. And one sure way as well is saying, you know, if you did the crime, you have a debt you will pay to this society, you should not do that, it is wrong, and you are going to pay a debt to that. But now once you have paid it, we want to work with you to make sure you do not go back into this system again.

That is what the Second Chance Act is that you and a number of other people have been strong supporters of and helping the system, and I want to encourage you on continuing to do that and providing that model, building a relationship on both the left and on the right, because we can all identify this is a problem. Getting to the right solution is going to be somewhat difficult to do.

Do you have numbers on the recidivism rates that have occurred in the programs where you have worked on building these relationships and job skills of what it has done to recidivism rates?

Mr. WERHOLTZ. We do. I need to caution you that they are very preliminary numbers because the history of the programs is so short. But what we have been able to do in the last 2 years is cut recidivism for parolees, those people being released from prison, by about 25 percent, and over the last 4 months we have actually met the challenge that you gave in Wichita in April of 2005, and our recidivism rates have been cut in half.

The question that I think remains is whether we can sustain those numbers over time, because a lot of what we have achieved, we have achieved through relationships, either through the retraining of our staff to perform a new function or through the relation-

ships that you described in the program that you visited, whereby people from the community—in this instance, a faith-based program, but we also have police officers, we have treatment program people, folks from our community mental health centers and our employment centers who actually begin working with the prisoners while they are still incarcerated, typically 12 to 14 months prior to release. And so, in fact, at this point the majority of the people that they are working with are still incarcerated and preparing for release.

But I think you hit a critical point, and that is that we have got to understand that the problem is larger than our own system. One of the things that is unique about what has happened in Wichita is that the county and the city were so impressed with what was going on and the leaders there believed so strongly that this was important that they appropriated funds and in-kind services to match our State general fund budget to replicate the Topeka program in Wichita.

One other set of numbers that I might be able to share with you is the Topeka program, which is Shawnee County, the one that has the longest history, it targets the most serious, highest-risk offenders who are exiting our prisons and going back to our capital city. We would expect those individuals, because they are at such high risk, to return to prison somewhere at the rate of about 70 or 80 percent within the first 3 years.

Now, we have only got a little over 12 months of history for those folks in the community, but they are returning at the rate of about 20 percent instead of the 70 to 80 that we would predict, or the standard 50-percent number that—

Chairman COBURN. Yes, the national average is 50 percent in the first 6 months.

Mr. WERHOLTZ. Correct. So, again, I would not want to hang my hat on those numbers and say we have proved our case yet, but they are hopeful enough that the State and some local units of government are investing money and trying to expand this effort.

Senator BROWNBACK. I am glad they are doing that. This is—

Chairman COBURN. Senator, can I interrupt?

I am going to ask Senator Brownback to close out our hearing for me and take over the gavel. We have unanimous consent that the statements by Senators Biden and Feingold be placed in the record, which will be done. And we will announce a week before closing for questions for the members of this Committee to be submitted, and I would appreciate it if you would close out this hearing for me.

Senator BROWNBACK. I would be happy to do that.

Chairman COBURN. Thank you. I thank our witnesses.

Senator BROWNBACK [PRESIDING.] Thank you very much. And I will not be long on this.

I do want to point out that the program that I visited was with a faith community, and what I am very pleased to see is that people are willing to integrate that, and the facility I visited in Ellsworth, it was a Christian faith community, but there was also a Native American faith community that was involved, and there were a couple of others. I am not sure what all else was there, if there was an Islamic community and a Jewish community or not,

but I saw the Native American one that was there as well. So it was not anything that is exclusive to any one, but it did have to be reputable, it did have to be based in the prisoner's belief system. And I think that is important to be able to integrate in with this as well.

The other thing, I just want to comment on this as I close because I need to get over to the floor as well. I saw an article yesterday or the day before about the militant radicals in Europe penetrating the prison system and recruiting radical terrorists out of the prison system. I think that is something we should be aware of, A.

B, if we do not want that to happen, I think we need to really go in our own system and work with men—men in particular, women, too, but men in particular—in a positive fashion to really try to give them some hope back in their lives if we do not want to see our prison system turn as well into some recruitment ground for real radical terrorist type elements to be able to come out of in a homegrown fashion. So I think it is good also for our security and our future.

Thank you for these efforts. I hope you can continue to support our Second Chance Act. It is my hope and will be prayer that we would get it across the line this legislative session. It is not going to be a big bucket of money, but it is going to be some, and we hope to incentivize these types of programs, with the target of cutting recidivism rates in half in 5 years. I want us to have a hard number on this thing so that people, when they go into it, you know what you have got to hit, and this is what we are after.

And also it says to the rest of society at large, this is not a soft-headed program. This is not us just kind of being mushy on crime. This is being very realistic and this is being very hard-nosed, and bottom line, we do not want these guys coming back to prison. We want them out, productive members of society, and if your program can produce that, God bless you. We are going to help support it. If you do not, we are not going to fund it, period. We have got to hit the number, and it is important. It is important to society, and it is important to these individuals.

And I hope as well we can work with their families, too. The numbers on family members of people that are incarcerated that then end up going to jail is way too high. I think it is 5 times the likelihood if your parent is in jail that you will go to jail. I had personal experience of that as an attorney in Manhattan, Kansas, when I was representing criminal indigents, and I would go to my senior partners, and I would say the name. They would say, "Oh, yes, I represented his Dad"—or his uncle or something. And you would say, "Well, why is that?" Well, I am not sure why. But it does happen, and I think we need to really work with these families. I have seen some pretty innovative programs of starting to work with the family members, too, to prevent this from continuing to happen.

So I appreciate your work. God bless you for doing it, and I hope we can get this bill across the line and we can continue to show those good results. Thanks for shining my State.

The record will remain open the requisite number of days. I believe they did say there were some questions that were going to be

submitted for the record, and these will be within a week's period of time. I do appreciate your willingness to testify and to look and to answer these.

The hearing is adjourned.

[Whereupon, at 4:07 p.m., the Subcommittee was adjourned.]

[Questions and answers and submissions for the record follows.]

QUESTIONS AND ANSWERS

Prisoner Reentry Questions for the Record Following Senate Judiciary Committee, Subcommittee on Corrections and Rehabilitation September 21, 2006

QFR1 – Unused WIA funds

Dr. Coburn: Mr. Bishop, we discussed the \$1 billion of Workforce Investment Act (WIA) funds that go unused each year. How can this money be used for employment services to ex-offenders?

Mr. Bishop: The Department of Labor distributes WIA, title I formula funds appropriated for the Youth, Adult and Dislocated Worker programs to states. Since WIA, title I authorizes grantees to spend the funds they receive over three program years, many grantees report unexpended fund balances at the end of any given year. The Department works to ensure grantees put the funds to immediate and effective use at the state and local levels. The Department's efforts include tracking formula fund expenditures by grantees and sharing the expenditure data with Congress on a quarterly basis. According to the most recent quarterly report (copy attached), approximately \$1.1 billion remains unexpended in the system.

The best way to ensure ex-offenders receive employment and training services is to ensure that the workforce investment system is prepared to serve ex-offenders and all other participants who seek employment and training services. An upcoming report, which we will share with the Subcommittee, will provide insights into how the existing workforce investment system can best serve young offenders.

QFR2 – Role of Grants

Dr. Coburn: In your opinion, what is the role of federal grants in state re-entry programs?

Mr. Bishop: As the hearing highlighted, there are over 650,000 state and federal prisoners released each year and an estimated seven million individuals that leave local jails each year. Federal investments serve as "seed" money for innovative projects that can be replicated in other parts of the country using federal formula funds or state and local monies. The Federal Government also has a role in coordinating local, state, and federal resources in serving this population and breaking down system silos such as those that exist in the justice system, workforce investment system, mental health system and others.

QFR3 – Program List

Dr. Coburn: Please list your programs.

Mr. Bishop: There are a number of programs funded through the Department of Labor that can serve released prisoners – WIA, title I formula grants, Prisoner Reentry Initiative, the Responsible Reintegration of Youthful Offenders grants, and the Youthbuild program.

The WIA, title I Adult formula program is funded at \$857 million in Program Year (PY) 2006 and serves roughly 450,000 participants. This program serves a variety of groups including veterans, high school dropouts, welfare recipients, homeless individuals, persons with disabilities, persons with low literacy levels, and ex-offenders. The Department does not collect data on the percentage of enrollees who are ex-offenders.

The WIA, title I Youth formula program was funded at \$940 million in PY 2006 and serves roughly 280,000 youth, ages 14-21. This program is aimed at several target groups including youth who come from low income families; youth who are basic skills deficient; high school dropouts; pregnant or parenting teens; homeless, runaway, or foster youth; and youth offenders. An estimated nine percent, or 25,000, of participants each year are ex-offenders.

The Prisoner Re-entry Initiative was funded at \$19.6 million in PY 2006 and will serve approximately 6,000 ex-offenders this year. The program is restricted to individuals that have not committed a violent or sex-related offense. Projects are currently operating in 30 cities across the country. The Department has requested \$19.6 million for FY 2007 to continue this important, coordinated, multi-agency effort.

The Responsible Reintegration of Youthful Offender program is funded at \$49 million in PY 2006 and serves roughly 9,400 young offenders each year. The Department funds a variety of projects under this program including:

- local projects to move youth into high-growth occupations;
- projects providing training to youth in construction;
- state-operated projects aimed at improving the academic and workforce preparation components for youth in correctional facilities;
- local projects that involve faith-based and community-based organizations in assisting released prisoners returning home;
- projects targeting both Hispanic and African American at-risk youth in several cities; and
- two projects aimed at serving at-risk Native American youth.

The Youthbuild program, for which the administrative responsibility has recently been transferred to the Department of Labor, also has the authority to serve youth offenders.

QFR4 - Metrics

Dr. Coburn: For each program, what is the metric used to measure whether the grant dollars are being used successfully? Can you send us a list of the programs, what you are measuring, and what you are finding from the grantees?

Mr. Bishop: The WIA, title I Adult program and the WIA, title I Youth program for older youth are measured by job placement, average earnings, and job retention. The WIA, title

I Youth program for younger youth is measured by diploma attainment, skill attainment, and retention in employment or education. The Department measures Prisoner Re-entry Initiative (PRI) grantees by enrollment rate, entered employment rate, employment retention rate, average earnings, recidivism, reduced substance abuse, and proportion of enrollees in stable housing. Responsible Reintegration of Youthful Offenders (RROYO) grant recipients are measured by job placement, entering the military, entering occupational training, entering post-secondary education, obtaining a high school degree or GED, and recidivism.

In Program Year 2005, the WIA, title I Adult programs achieved a 76% job placement rate, \$3,723 increase in earnings, and an 86% job retention rate. (Note that after PY 2005, ETA will collect performance data on average earnings, not increase in earnings.) The WIA, title I Youth program for older youth achieved a 72% job placement rate, \$3,507 increase in earnings, and an 82% job retention rate. The WIA, title I Youth program for younger youth achieved a 65% diploma attainment rate, 84% skill attainment rate, and a 64% retention rate. Please note that WIA, title I results are for all participants, not just ex-offenders.

As of this month, PRI grantees have currently enrolled 3,212 ex-offenders, and placed 2,179 participants into employment of the total of 4,453 who have thus far completed the program. For youthful offender grants, the latest performance measures indicate that local projects have been successful in placing youth into jobs, but are finding challenges in improving their educational outcomes, while state grants serving youth in correctional facilities have been more successful in improving reading and math scores of youth.

QFR5 – Grantee Performance

Dr. Coburn: About how often are grantees not performing adequately? How often do you discontinue working with grantees?

Mr. Bishop: In any grant program, there will be a continuum with some projects performing extremely well, many in the middle performing adequately, and a few struggling. When grantees are struggling to achieve their performance goals, the Department offers additional technical assistance and support. If necessary, the Department imposes corrective action plans, freezes funding until problems are resolved, or imposes more restrictive means of reimbursement. The Department has been successful in helping struggling grantees deliver effective programs via technical assistance and support. The Department tries to avoid discontinuing grants to avoid losing the significant initial investment made in the grant. However, if appropriate, the Department is willing to end grants if intervention is unsuccessful.

QFR6 – Inter-agency Coordination

Dr. Coburn: During the hearing witnesses testified that the various agencies try to work together to maximize the dollars given by combining them with other grant programs. How do you coordinate with the other agencies?

Mr. Bishop: We agree that close coordination and system integration across federal agencies is critical to ensuring programmatic success. The Department of Labor routinely collaborates with other agencies in addressing the needs of ex-offenders as well as all other agency priorities. For instance, to implement the recommendations of the White House Task Force for Disadvantaged Youth, the Department published the Interagency Shared Youth Vision, which calls for strategic collaboration between Departments that serve youth, including the Departments of Education, Health and Human Services, Justice, and Housing and Urban Development. The Department also coordinates with other agencies that serve juvenile offenders through the Juvenile Justice Coordinating Council (JJCC), which meets quarterly to develop action plans for addressing the problems of juvenile delinquency and youth gangs.

The process for developing the PRI was also a highly collaborative process—with officials from the Departments of Labor, Justice, Housing and Urban Development, Health and Human Services, and the White House playing key roles and making major contributions. The PRI actually involves complementary grants from two federal agencies—the Departments of Labor and Justice.

QFR7 – Other Federal Grants

Dr. Coburn: When you give a grant to an organization, how do you determine if other federal agencies have also given a grant? Does that affect what type or size of grant you award?

Mr. Bishop: OMB Circulars require that grantees follow financial management procedures that preclude double billing for the same service. Whether an organization has a grant from another federal agency does not, by regulation, affect the type or size of grant that we award. More importantly, though, the Department of Labor has institutionalized the coordination of strategies as well as funding to provide holistic responses to workforce problems and to avoid duplication across federal agencies, through coordination efforts such as the Interagency Shared Youth Vision. One example is the Serious and Violent Offender Reentry Initiative, which the Department of Labor coordinated with the Department of Justice.

QFR8 – Grant Coordination

Dr. Coburn: When a grantee receives grants from multiple agencies, do you coordinate and measure their performances differently than a grantee that only receives a grant from one agency? If so, how?

Mr. Bishop: In grant initiatives that involve several agencies, i.e., the Serious and Violent Offender Reentry Initiative (SVORI) and the Prisoner Re-entry Initiative (PRI), federal agencies do coordinate in setting performance standards. For example, for PRI, the Department included measures of recidivism for the Department of Justice, homelessness for the Department of Housing and Urban Development, and substance abuse for the Department of Health and Human Services.

QFR9 – Grantee Representative

Dr. Coburn: When multiple agencies are giving grants to the same organization (for different purposes) does each agency coordinate with a different representative of that organization and work separately?

Mr. Bishop: Grantee organizations individually determine their project officer, and the Department defers to the grantee organization in this decision.

QFR10 – Parole Officers, Judges

Dr. Coburn: How often are the available grants coordinated through a parole officer or a judge?

Mr. Bishop: Parole officers and judges have critical roles in any effort to serve released prisoners, and they are involved in the Department's various offender projects. However, parole officers do not coordinate all grant-related services, generally due to the size of the caseloads. It should be noted that the Department of Labor has a current proposal under review that utilizes parole officers as the coordinating mechanism for assisting returning offenders.

All PRI grant agreements state that "grantees must also demonstrate a partnership with local representatives of law enforcement, including probation and parole, to ensure coordination and cooperation in accessing services to fulfill the conditions of parole of participants."

QFR11 – Holistic Treatment

Dr. Coburn: During the hearing we heard from the Second Panel witnesses that one program in isolation is not enough; for example an ex-offender needs a job, a place to live, and drug treatment to succeed. Are there grantees that do not serve the ex-offender holistically? In other words, are there people who are getting drug treatment supplemented by a federal grant who do not have a job or a place to live? If so, are there any efforts to get that individual linked with resources provided through other agencies?

Mr. Bishop: Federal grant programs targeted at one problem of an ex-offender do attempt to provide referrals to programs that are designed to address other problems faced by the individual. The Department makes deliberate efforts to educate grantees about the existence of other types of resources, and encourages coordination to meet multiple needs.

Some of this coordination does occur at the federal level, and the Department has led specific efforts to increase this collaboration. For example, the Department of Labor collaborated with the Department of Health and Human Services (HHS) to coordinate PRI grants with HHS' "Access to Recovery" (ATR) grants. ATR funding covers a broad range of clinical treatment services, housing, transportation, and possibly drug testing -- services that DOL grants cannot provide. HHS and DOL are coordinating to ensure that PRI participants make use of ATR services.

QFR12 – Coordination through Parole Officer

Dr. Coburn: Do you think it would be a better use of taxpayer money to coordinate assistance through a parole officer or a social worker so that prisoners have a better chance at success?

Mr. Bishop: Department of Labor grants do utilize knowledgeable staff such as parole officers or case managers to coordinate assistance to prisoners. Where possible, the Department believes it is important to work through faith and community-based organizations, as these organizations can be sources of mentors for released prisoners. The Department strongly emphasizes employment, education, and skills development in offender programs, and in grantee operations anyone who can assist with positive outcomes relative to these activities may be tapped for assistance.

QFR13 – FY 08 Budget Request

Senator Durbin: You testified that “roughly \$15 billion from various Federal agencies goes to States and local communities to supply individuals with employment training services.” You also said that too much of the Workforce Investment Act (WIA), funds go “to infrastructure and duplicative programs,” implying that these “excess” dollars would be used to finance Career Advancement Accounts. In its November 2002 findings on the WIA programs, the Government Accountability Office (GAO) clearly stated there was no excess carryover funding in the WIA system. The GAO found virtually all states spending their funding within their federally authorized time frame (three years for states, two years for localities). And, the GAO also found that the Administration’s own calculation of WIA carryover was inaccurate and created a mistaken impression of excess carryover. It is my understanding that your Senate and House authorizing committees have rejected the idea of Career Advancement Accounts in the reauthorization of the Workforce Investment Act. In this regard, I am concerned that statements you made at our hearing, which indicated that individuals like ex-offenders can use career advancement accounts to access the training and education they need, will raise expectations for services and resources that do not exist. Will the Administration seek to fully fund the “Responsible Reintegration for Youthful Offenders Program” in its FY2008 budget request, and will you also be sending a legislative proposal to Congress to seek authorization for your Career Advancement Accounts initiative?

Mr. Bishop: To clarify, there are indeed unexpended WIA, title I funds at the end of the program year. The Department of Labor distributes WIA, title I formula funds appropriated for the Youth, Adults and Dislocated Worker programs to states. The Department tracks formula fund expenditures by grantees and shares the expenditure data with Congress on a quarterly basis. According to the most recent quarterly report (copy attached), approximately \$1.1 billion in unexpended funds remain in the system.

The Department’s calculation of unexpended funds is accurate. The GAO noted that some of the funds unexpended by states were obligated, and current law provisions relating to the recapture of WIA funds are based on calculations of “unobligated” rather than “unexpended” funds. However, the Administration proposed, as part of WIA, title I reauthorization, that the basis for recapture be changed to reflect the percentage of “unexpended” funds and both the House and Senate WIA Reauthorization bills have

incorporated that approach for WIA, title I formula programs. Obligations are commitments to provide services in the future, and those services may or may not ultimately be provided. Expenditures are amounts that have been spent for services provided, and in our view is a better and fairer measure of the use of funds.

Career Advancement Accounts have not been rejected by Congress, and WIA, title I has not yet been reauthorized. The Department will be sending a legislative proposal for the Career Advancement Account initiative to Congress in early 2007. The proposal will address one of the key shortcomings of the current employment and training system—excessive funds devoted to infrastructure. The current lack of integration causes too much money to be spent on competing bureaucracies, overhead costs, and unnecessary infrastructure, and not enough on meaningful skills training that leads to job growth and economic prosperity.

The President's FY 2008 Budget is currently under development and will be transmitted to Congress on February 5, 2007.

QFR14 – Budget Requests

Senator Durbin: You testified that, over the last few years, appropriations for the “Responsible Reintegration of Youthful Offenders” program has funded a variety of projects aimed at serving young offenders, including those at risk and those in juvenile or adult justice systems, through community and institution-based approaches. As you stated before the Subcommittee, much is being accomplished through these projects in the area of rehabilitation and reentry. If this program was producing such positive results, why is it that President Bush did not request funding for this grant program in his FY2007 request, or in prior year budget requests? It is my understanding that Senator Specter, as Chairman of the Labor-HHS Appropriations Subcommittee has fought annually to secure appropriations for this program, despite it being zeroed out in the President's budget requests. Can you explain the Department of Labor's position on this request?

Mr. Bishop: The Department has sought to integrate lessons learned from the Youthful Offenders program into its formula grants and the Prisoner Re-entry Initiative, which was envisioned as a comprehensive approach to serving the ex-offender population. The President's FY 2007 budget requested \$19.6 million for PRI, the level appropriated by Congress in FY 2006.

QFR15 – Successful Service Strategies

Senator Durbin: Please provide the Subcommittee with a report assessing which service strategies have worked under this program and which have not worked for youth offenders. This information would be valuable for state and local programs and institutions helping young offenders acquire skills and behaviors essential to become successful adults, good parents, and contributors to their communities.

Mr. Bishop: The Department is preparing a blueprint aimed at state and local officials discussing successful service strategies learned from the youthful offender grants, which we will share with the Subcommittee when complete.

QFR16 – Project Reports

Senator Durbin: Please provide the Subcommittee with copies of the information and reports that you have released to date that help to inform policy makers and practitioners about these projects.

Mr. Bishop: We are attaching the final summary report of the Youth Offender Demonstration Project Evaluation. The Youth Offender Demonstration was an early attempt in 1999 to develop a model utilizing the initial Youthful Offenders appropriation. Over time, due to the limited success of the Youth Offender Demonstration, the Department has balanced its approach and is funding a wider array of promising programs. The Department is preparing a blueprint aimed at state and local officials discussing successful service strategies learned from the promising youthful offender grants, and we will share this blueprint with the Subcommittee when it is completed.

QFR17 – Federal Partners and Dissemination

Senator Durbin: Also, please describe how the Department has worked with its federal partners in supporting these projects, and the steps your Department has taken to disseminate information about those projects and their results to other systems and to stakeholders.

Mr. Bishop: A good example of federal coordination using the youthful offender appropriation is the Serious and Violent Offender Reentry Initiative, which was supported through a partnership of the Departments of Justice, Labor, and Health and Human Services. The Prisoner Reentry Initiative involves even closer federal coordination, with the Departments of Labor and Justice providing complementary grants in geographic areas served by the program, and with the Departments of Veterans Affairs, Health and Human Services, Housing and Urban Development, and the Corporation for National and Community Service all involved in the partnership. The Department will be preparing a blueprint on successful service strategies for replicating youthful offender projects.

QFR18 – Career Advancement Accounts

Senator Durbin: You stated that the Department of Labor is asking for support for “Career Advancement Accounts” that will provide ex-offenders and others access for up to \$3,000 per year to obtain the education and training they need. I would like to know more about how this would work to serve this challenging ex-offender population. For example, what number and proportion of ex-offenders who are eligible for career advancement accounts does the Department estimate will take up such accounts?

Mr. Bishop: One important issue that Career Advancement Accounts (CAAs) would address is giving as many people as possible greater access to post-secondary education and training – something the current employment and training system is ill-equipped to do.

Career Advancement Accounts will place training resources in the hands of individuals and give them greater ownership of their career decisions. Targeted programs and set-asides have led to multiple program silos, excessive overhead and bureaucracy, lack of coordination and integration, and only a modest number of individuals trained for the size of the investment. A Career Advancement Account of \$3,000 is sufficient to finance approximately one year of study at a community college. The account may be renewed for one additional year, for a total amount of up to \$6,000 per individual over a two-year period.

States and local areas would still be able to serve targeted groups, such as ex-offenders, but would have more flexibility in using resources and not be subject to the often-conflicting requirements of multiple programs or funding streams. Decisions on the populations to serve would be made by the states and local areas, as well as on the mix of services needed for individual target groups. No "one size fits all" approach will work in our diverse country.

Under the President's FY 2007 Budget, we estimate that about 800,000 individuals would receive Career Advancement Accounts. This would more than triple the number of people currently receiving job training under the WIA, title I programs. The Department does not have estimates of the take-up rates for various targeted groups such as ex-offenders, since the decisions on the populations to serve will be made at the state and local level and will vary across jurisdictions.

QFR19 – Competition for Career Advancement Accounts

Senator Durbin: What do we say to ex-offenders who must compete with others to access these accounts and are not successful?

Mr. Bishop: Under the CAA proposal, more funds will be devoted to education and training, resulting in the ability to more than triple the number of individuals trained through the WIA, title I formula programs. Therefore, there is a greater likelihood that ex-offenders would receive training under the CAA proposal than they do under the current bureaucratic system. States and localities would be charged with setting eligibility and service priorities for their jurisdictions.

Individuals who do not receive Career Advancement Accounts would still be able to receive workforce information and job search assistance as well as access to other federally funded programs and services through One-Stop Career Centers.

QFR20 – Informed Decisions for Career Advancement Accounts

Senator Durbin: How will ex-offenders be able to make informed decisions about what education and training they need and the "right" training provider to help them acquire necessary skills?

Mr. Bishop: States and localities would still provide workforce information and career counseling through the One-Stop Career Centers. In addition, states would be responsible for ensuring the credibility and accountability of training providers.

QFR21 – Support Services

Senator Durbin: We know from other research that support services are critical for ex-offenders to achieve success. How will such services be identified and provided to ensure they persist and complete their education or training programs to obtain decent jobs?

Mr. Bishop: Our objective with Career Advancement Accounts is to put more funds into the hands of workers for educational and job training and to greatly increase access to post-secondary education and training than is currently provided through the WIA, title I program. . Our proposal envisions that other federal, state and local sources of funding for supportive services would be made available through One-Stop Career Centers, as authorized under current law.

QFR22 – Grant Accomplishments

Senator Durbin: You stated that the Department of Labor funded 30 prisoner reentry grants to strengthen urban communities characterized by large numbers of returning prisoners through an employment centered program that encompasses mentoring, job training and comprehensive transitional services. What have the grants using this employment centered program accomplished?

Mr. Bishop: 30 grantees, including the Safer Foundation in Chicago, in 20 states were awarded grants in November 2005 after the Department received over 500 applications from all across the country. They began operation in March 2006, and as of September 29, 2006, the grantees have enrolled 3,212 participants and placed 1,708 into employment. Halfway into the program, the project is on target to reach the goal of serving 6,250 released prisoners during the first year of this initiative.

QFR23 – Sharing Information

Senator Durbin: Has the Department of Labor shared this information with states and with local communities through the workforce development or reentry networks?

Mr. Bishop: The Prisoner Reentry Initiative includes an evaluation component which is documenting best practices, strengths and weaknesses of the projects, and outcomes. The results of this evaluation will be provided to local communities, workforce development agencies, and reentry networks.

QFR24 – Transitional Services

Senator Durbin: Is there any information available describing the range of transitional services made available to returning prisoners?

Mr. Bishop: Department grant funds can be used to provide a variety of services to returning prisoners, including workforce development services, job training, on-the-job training, work experience, basic skills remediation, counseling and case management, mentoring, and other reentry services. Grantees coordinate with other federal, state, or local agencies to provide other support services not directly funded through this initiative, such as substance abuse and mental health treatment.



U. S. Department of Housing and Urban Development
Washington, D.C. 20410-8000

OFFICE OF THE ASSISTANT SECRETARY FOR
CONGRESSIONAL AND INTERGOVERNMENTAL RELATIONS

November 17, 2006

The Honorable Tom Coburn
Chairman
Subcommittee on Corrections and Rehabilitation
Committee on Judiciary
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

I am writing to provide the enclosed responses to questions for the record regarding the Department of Housing and Urban Development's testimony before the Subcommittee on Corrections and Rehabilitation hearing entitled "Oversight of Federal Assistance for Prisoner Rehabilitation and Reentry in our States" on September 21, 2006.

I hope the enclosed responses will be helpful. If you need more information, please ~~contact me at (202) 708-0005.~~

Sincerely,

A handwritten signature in black ink, appearing to read "L. Carter Cornick III", written over a horizontal line.

L. Carter Cornick III
General Deputy Assistant Secretary for
Congressional & Intergovernmental Relations

Enclosure

HUD Questions for the Record
Hearing on Oversight of Federal Assistance for Prisoner Rehabilitation and Re-Entry
Senate Judiciary Subcommittee on Corrections and Rehabilitation
September 21, 2006

Senator Tom Coburn

Question 1: I understand that federal guidelines restrict imprisoned individuals from being classified as homeless, however if the released prisoner can provide evidence that he was discharged a week before receiving continuum of care assistance he may qualify. Is this correct?

Answer: The McKinney-Vento Act of 1987, as amended, in Title I Section 103, defines a homeless individual. In doing so it specifically excludes as homeless any individual who is "imprisoned or otherwise detained." However, HUD policy expressed in "Questions and Answers: A Supplement to the 2006 Continuum of Care Homeless Assistance NOFA and Application," is that if a person was homeless before incarceration and has spent fewer than 30 days in a jail or prison, he/she continues to qualify as being homeless.

For persons who have been jailed or imprisoned for 30 or more days, a range of assistance is available. Title IV of the McKinney-Vento Act provides that a portion of HUD's Emergency Shelter Grants (ESG) Program funds may be used to *prevent* homelessness. Section 414 of this title states that prevention activities "shall include assistance to very low-income families who are discharged from publicly funded institutions or systems of care," including "correction programs and institutions." As such, the McKinney-Vento Act stipulates that while imprisoned ~~persons are not homeless; they may be assisted with homeless prevention resources while still~~ imprisoned. HUD recognizes that there may be instances where, despite discharge efforts by the corrections system using ESG and other resources, an individual exiting an institution may have no alternative to the streets other than a homeless shelter. In this case, HUD policy is that if a person is about to be discharged from an institution or released from prison within a week and no subsequent residence has been identified and he/she lacks the resources and support networks needed to obtain housing, that person is eligible for HUD's homeless assistance programs upon discharge, including emergency shelter and transitional housing.

Question 2. The re-entry policy council mentions on their website that the Cornerstone Program in CA is a program that was awarded 85 Section 8 housing vouchers. The program advertises to people "including those leaving prison or jail". I know that federal law allows public housing authorities to refuse to house or accept vouchers from people convicted of certain offenses. How do such restrictions effect the number of homeless people, and are you aware of any other programs or ways that ex-offenders have made use of Section 8 housing vouchers?

Answer: The Housing Choice Voucher Program is administered by Public Housing Authorities, and eligibility of ex-offenders for admission to this program is governed by

applicable laws and the regulations at 24 C.F.R. part 5 and 982. The regulations require that PHAs must establish standards that prohibit admission to household members who are subject to a lifetime registration requirement under a State sex offender registration program or if a household member has been convicted of drug-related activity for manufacture or production of methamphetamine on the premises of federally assisted housing. Also, PHAs may prohibit admission of a household to the program if any household member is engaged in, or has engaged in (during a reasonable time before admission decision) (1) drug-related criminal activity; (2) violent criminal activity (3) other criminal activity that would threaten the health, safety and right to peaceful enjoyment of the premises by other residents or (4) other criminal activity that would threaten the health or safety of the PHA or owner or any employee, contractor or agent of the PHA or owner who is involved in the housing operations.

Inasmuch as the establishment of discretion is accomplished at the local public housing agency and varies by community, HUD does not track the number of convicted persons nor the effect of the restrictions.

Question 3: I understand you have programs to provide housing for the mentally ill (McKinney Vento Act and others). It is estimated that about 20% of people with mental illness coming out of prisons and jails are homeless in the months before and after incarceration. Are these funds available for ex-offenders? If not, what are some of the barriers?

Answer: Ex-offenders who are homeless and mentally ill qualify for HUD's programs for homeless persons on the same basis as any other ex-offender. See the answer to Question 1.

Under HUD's Housing Choice Voucher program, there is no specific category of housing vouchers specifically for persons with mental illnesses. HUD's regulations at 24 CFR ~~982.204(b)(3)~~ state that a public housing agency (PHA) may adopt a preference for admission of families that include a person with disabilities. However, the PHA may not adopt a preference for admission of persons with a specific disability. So, although a PHA may provide vouchers to people with mental illnesses, it could not establish a preference for the admission of persons with mental illnesses.

Also, in past years, HUD has published Notices of Funding Availability (NOFA) under the Mainstream Housing Opportunities for Persons with Disabilities Program (Mainstream Program). The Mainstream Program provides housing choice vouchers for eligible disabled families regardless of their type of disability. However, as with the regular voucher program, PHAs must not issue Mainstream program vouchers on the basis of favoring any particular type of disability over another.

Question 4: How can funds from the McKinney Vinto Act be used to help house ex-offenders? I am aware of programs in MD and NY that use these funds to help offenders.

Answer: States and local governments that receive Emergency Shelter Grants allocations may use up to 30% of their grants annually for homelessness prevention. Since 1987, the McKinney-Vento Act has provided HUD the authority to annually award grants to nonprofit

organizations, local and State governments, and other governmental entities for the purpose of helping homeless persons achieve residential stability, increase their skills and/or incomes and obtain greater self-sufficiency. As long as ex-offenders who are homeless meet HUD's eligibility criteria, they may be served in McKinney-Vento funded programs that assist homeless persons.

Question 5: Please list your programs (programs currently offered relating to rehabilitation and reentry).

a. For each program, what is the metric used to measure whether the grant dollars are being used successfully? Can you send us a list of the programs, what you are measuring, and what you are finding from the grantees?

b. About how often are grantees not performing adequately? How often do you discontinue working with grantees?

Answer: HUD has no programs for the provision of housing intended specifically for ex-offenders.

Question 6: During the hearing witnesses testified that the various agencies try to work together to maximize the dollars given by combining them with other grant programs. How do you coordinate with the other agencies?

Answer: Since April 2004, HUD has been part of the Federal Working Group for the Administration's Prisoner Re-entry Initiative, of which the Department of Labor (DOL) has been the lead agency. The Initiative's objective is to assist individuals exiting prison make a successful transition to community life and long-term employment.

~~Although HUD requested \$25 million in the FY 2005 and FY 2006 budgets for the purpose of providing transitional housing with relevant services for this non-homeless population, HUD received no authorizing legislation or funding for this initiative. Notwithstanding, HUD attends meetings with DOL, the Department of Justice (DOJ) and other federal agencies to discuss programmatic policy. HUD provided verbal input into DOL's Solicitation for Grant Agreement (SGA), which requested that applicants identify potential linkages with other local agencies for the provision of housing services.~~

Additional grant awards were made for assessment and pre-release services through DOJ to State government agencies, including the State Department of Corrections and State Criminal Justice Administering Agencies for the jurisdictions that received DOL awards. HUD had no input into these awards.

Question 7: When you give a grant to an organization, how do you determine if other federal agencies have also given a grant? Does that affect what type or size of grant you award?

Answer: For certain grants, HUD requires disclosure of assistance awarded by other federal agencies. The Department of Housing and Urban Development Reform Act of 1989

(HUD Reform Act) requires an applicant that receives or expects to receive assistance from HUD in excess of \$200,000 during the fiscal year to disclose, on a form entitled "Applicant/Recipient Disclosure/Update Report, HUD Form 2880," any other government assistance that will be involved in the project or activity for which the applicant is seeking funding from HUD. The HUD Reform Act requires such disclosure to help HUD ensure that funding for HUD projects or activities is not more than is necessary to make the project feasible after taking into account the other government assistance. Under these circumstances, the size of the award granted by HUD may be affected by the amount of assistance an applicant receives from other federal agencies for the same project or activity. Grants awarded under other programs require, as a condition of assistance, that the grantee match the HUD grant with other funds, up to a certain percentage; for example 25 percent matching funds. For these programs, which include the McKinney-Vento homeless assistance programs, the applicant must disclose the source of funds to be used as a match so that the Department can confirm that the applicant has the necessary matching funds and that the funds were not derived from a federal source.

Question 8: When a grantee receives grants from multiple agencies, do you coordinate and measure their performances differently than a grantee that only receives a grant from one agency? If so, how?

Answer: HUD generally only undertakes such coordination when HUD partners with another agency or agencies on an initiative. For example, in 2003, HUD, HHS and VA announced the availability of funding for a coordinated initiative called the "Collaborative Initiative to Help End Chronic Homelessness." The notice of funding availability was published in the Federal Register on February 24, 2003 (68 FR 8616).

Question 9: When multiple agencies are giving grants to the same organization (for different purposes) does each agency coordinate with a different representative of that organization and work separately?

Answer: Generally, this is left to the grantee organization to decide. For example, an organization that seeks funding for housing and social services may have different officials or employees responsible for these functions in their organizations or an official of the organization may be responsible for both of these activities.

Question 10: How often are the available grants coordinated through a parole officer or a judge?

Answer: With respect to HUD, never.

Question 11: During the hearing we heard from the Second Panel witnesses that one program in isolation is not enough; for example an ex-offender needs a job, a place to live, and drug treatment to succeed. Are there grantees that do not serve the ex-offender holistically? In other words, are there people who are getting drug treatment supplemented by a federal grant who do not have a job or a place to live? If so, are there any efforts to get that individual linked with resources provided through other agencies?

Answer: Although HUD participated as a member of the Federal Working Group for the Administration's Prisoner Re-entry Initiative, HUD has no information regarding the treatment of ex-offenders who are being served as a result of the DOL and DOJ grant awards.

Question 12: Do you think it would be a better use to taxpayer money to coordinate assistance through a parole officer or a social worker so that prisoners have a better chance at success?

Answer: Generally, it is left to the applicant organization seeking assistance to identify the official who will coordinate the expenditure of funds and explain the reasons why the official has the experience and abilities to efficiently and effectively oversee the expenditure of funds.

**Responses to Questions from Chairman Tom Coburn
Subcommittee on Corrections and Rehabilitation, Committee on the Judiciary
United States Senate
to Cheri Nolan, Senior Policy Advisor to the Administrator, Substance Abuse and
Mental Health Services Administration
Department of Health and Human Services
following September 21, 2006, hearing on programs to facilitate offender reentry**

1. Please list your programs.

The Substance Abuse and Mental Health Services Administration (SAMHSA) has attached an Excel spreadsheet of its entire Center for Substance Abuse Treatment Criminal Justice grants. The grant programs listed include: the Juvenile and Family Treatment Drug Courts, the Young Offender Reentry Program, and the Rehabilitation and Restitution grants program.

2. For each program, what is the metric used to measure whether the grant dollars are being used successfully? Can you send us a list of the programs, what you are measuring, and what you are finding from the grantees?

In compliance with the Government Performance and Results Act (GPRA) of 1993, all of SAMHSA's Center for Substance Abuse Treatment's (CSAT) Discretionary Services Programs report data to CSAT on a regular and routine basis. The data are collected at intake, discharge and 6 months post intake. Once submitted to CSAT via its web-data entry and reporting system, this information is then used by CSAT to assess the effectiveness of the programs being funded. A uniform data collection tool is used assessing the following National Outcome Measures (described below in further detail): abstinence from substance use, employment, stable housing, no arrests in the past 30 days, social connectedness, access, and retention. There are two primary Criminal Justice programs in the Discretionary Portfolio; those are Treatment Drug Courts and the Young Offender Re-entry Program.

With respect to the Treatment Drug Courts, there have been 2,574 clients served by the currently active grantees. Six month follow up data on a sample of these clients show that abstinence from use increased 92.3%; employment increased 38.4%; stable housing increased 15.4%; social connectedness increased by 9.7%; and the percent reporting no arrests in the past 30 days increased 14.2%. With respect to the Young Offender Re-entry Program there have been 1,958 clients served by the currently active grantees. Six month follow up data show that abstinence decreased 12.4%; employment decreased 1.1%; stable housing increased dramatically by 155.9%; and social connectedness decreased by 1.1%. Data also shows arrests in the past 30 days decreased by 4.4%. Given the transition period from incarceration to community supervision it is not surprising that in the first six months in the community there

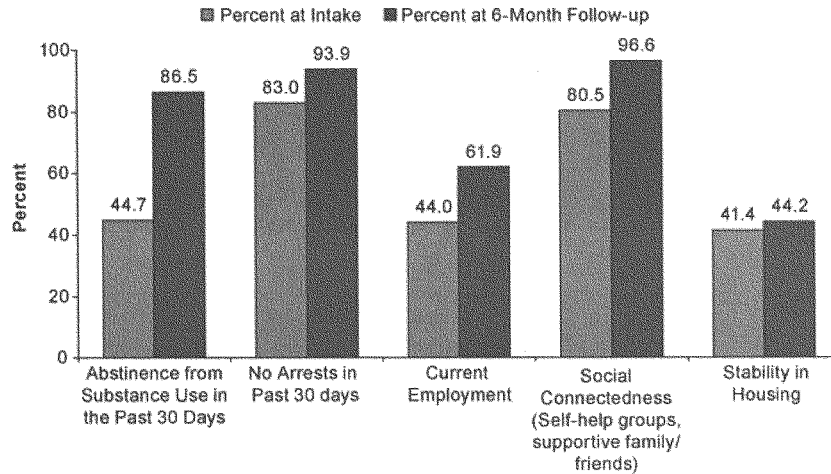
might be temporary negative findings regarding substance use, employment, and social connectedness before therapeutic intervention brings results.

National Outcomes Measures (NOMS): SAMHSA has developed these 10 NOMs domains in collaboration with the States. These domains are designed to embody meaningful, real life outcomes for people who are striving to attain and sustain recovery; build resilience; and work, learn, live, and participate fully in their communities. The development and application of NOMs is a key component of the SAMHSA initiative to set performance targets for State and Federally funded initiatives and programs for substance abuse prevention and mental health promotion, early intervention, and treatment services. The NOMs domains and their associated outcome measures are as follows:

- Reduced Morbidity (for substance abuse—abstinence from drug/alcohol use, including decreased use of substances of abuse, nonuser stability, increasing perceived risk, increasing disapproval, increasing age of first use; for mental health—decreased mental illness symptomatology)
- Employment/Education (getting and keeping a job; workplace drug and alcohol policy; alcohol, tobacco, and other drug school suspensions and expulsions; or enrolling and staying in school)
- Crime and Criminal Justice (decreased criminality, incarcerations, and alcohol-related car crashes and injuries)
- Stability in Housing (increased stability in housing)
- Social Connectedness (family communication about drug use, increasing social supports and social connectedness)
- Access/Capacity (increased access to services/increased service capacity)
- Retention (for substance abuse—increased retention in treatment, access to prevention messages, evidence-based programs/strategies; for mental health—reduced utilization of psychiatric inpatient beds)
- Perceptions of Care (or services)
- Cost Effectiveness
- Use of Evidence-Based Practices

The chart below indicates some of the data outcomes for selected SAMHSA criminal justice grants using SAMHSA National Outcomes Measures.

Figure 5. Percent of Treatment Drug Court Program Participants at Intake and 6-Month Follow-Up, by Selected NOMs Measures: 2002–2006



3. About how often are grantees not performing adequately? How often do you discontinue working with grantees?

Approximately one percent of all SAMHSA grantees are not performing adequately. (We are not currently able to provide the percent for the specific Criminal Justice grant portfolio.) In the past three years, five treatment grantees have willingly relinquished their SAMHSA grant, and one grantee's funds were withheld for fiscal issues and non-performance issues at the time of the continuation budget period. This action is under appeal to the Department of Health and Human Services's (HHS) Departmental Appeals Board initiated by the grantee.

Each SAMHSA grant program has corresponding technical assistance and training support designed to work with SAMHSA staff and the grantee to assist in resolving programmatic, management, clinical, administrative, and evaluation issues. SAMHSA, in accordance with HHS and the Public Health Service grants regulations, has grants management procedures in place that indicate actions that may be taken for non- or under-performing grantees. SAMHSA recognizes the need to assist grantees who are not performing satisfactorily while also recognizing the need to manage and monitor use of funds to prevent waste and inefficiency. If all avenues of technical assistance, programming guidance, corrective action planning, and formal grants

management processes are unsuccessful, then SAMHSA will pursue termination of the grant.

4. During the hearing witnesses testified that the various agencies try to work together to maximize the dollars given by combining them with other grant programs. How do you coordinate with the other agencies?

SAMHSA is engaged in numerous inter-agency partnerships with the Department of Justice's (DOJ) Office of Justice Programs (OJP) and its offices, including all drug court activities. For example, OJP supports Drug Courts grants through its Bureau of Justice Assistance (BJA) and its Office of Juvenile Justice and Delinquency Prevention (OJJDP). SAMHSA interacts with BJA and OJJDP to coordinate drug court grant awards in order to eliminate duplication of awards to the same jurisdictions. An example of this coordination is found in the SAMHSA Fiscal Year (FY) 2005 Notice of Funding Availability language to potential grant applicants which stated: "SAMHSA will coordinate with the Department of Justice's Office of Justice Programs, Bureau of Justice Assistance (BJA) on FY 2005 treatment drug court awards to ensure that an individual family or juvenile drug court does not receive both a BJA implementation and/or enhancement grant and a SAMHSA treatment drug court expansion and/or enhancement grant." Both BJA and, later, OJJDP, which received responsibility at OJP for the juvenile and family drug court grants, issued similar language in their solicitations. SAMHSA staff met with BJA and OJJDP staff to coordinate activities and exchange proposed grant funding lists. No jurisdictions received duplicate funding as a result of this integrated approach to grants made by agencies within different Federal Departments.

For several years now, SAMHSA, BJA, and OJJDP have been engaged in discussions about the drug court arena and the use of federal funds for technical assistance activities to support drug courts. All three agencies are coordinating with the National Association of Drug Court Professionals (NADCP), which is the primary technical assistance provider for BJA/OJJDP drug court grantees. SAMHSA has also taken steps to link its treatment drug court grantee meetings with the annual NADCP national drug court conference in order to be more efficient and cost effective, to maximize resources, to bring all the drug court grantees together, and to increase knowledge exchange and dissemination.

SAMHSA and the National Institute on Drug Abuse (NIDA) at HHS's National Institutes of Health continue to work collaboratively on NIDA's Criminal Justice-Drug Abuse Treatment Studies (CJDATS). CJDATS is a multi-site set of research studies designed to improve outcomes for offenders with substance abuse disorders by improving the integration of drug abuse treatment with other public health and public safety systems. As part of a five-year Inter-agency Agreement with NIDA, SAMHSA has provided funding for treatment services for the various justice grantees involved with CJDATS.

SAMHSA, DOJ, and the Department of Labor (DOL) have actively partnered on the Prisoner Reentry Initiative (PRI). This is a presidential initiative that provides funds from DOL for post-release employment, job skills development, and mentoring services by community-based and faith-based organizations. These DOL awards will be coordinated with DOJ funds awarded to the State entities (Departments of Corrections and Single State Agencies, for example) for pre-release assessment and planning activities. DOL received approximately \$20 million this past year, and DOJ received approximately \$5 million. The FY 2007 request is for an almost \$60 million initiative which includes DOL, DOJ, and Department of Housing and Urban Development funding. SAMHSA/CSAT has been an active federal partner in this development of the DOL solicitation and has participated in the three national information dissemination meetings for PRI.

Additionally, SAMHSA is partnering with DOL and DOJ in order to better provide treatment services for clients enrolled in PRI by creating access to a SAMHSA presidential initiative, the Access to Recovery (ATR) program. This partnership will increase the numbers of both ATR and DOL-PRI clients serviced, since those clients under PRI that have substance abuse treatment and recovery support services needs are eligible for ATR vouchers and *vice versa*. Additionally, this collaboration will enhance services being offered by both programs (e.g. PRI provides more comprehensive employment assistance while ATR offers more broad recovery support services). ATR grantees are making every effort to collaborate with the PRI to realize the full benefits of this initiative.

SAMHSA collaborated and participated in the development of the Serious and Violent Offender Reentry Initiative (SVORI). Joint federal SVORI funding is approximately \$110 million for the grant period of 2001-2006. SAMHSA committed \$16 million to this initiative in FYs 2002 and 2003, as follows: CSAT provided \$6 million each year, and SAMHSA's Center for Mental Health Services (CMHS) provided \$2 million each year. Although SAMHSA funding has ended, our agency remains a Federal partner and attends Federal partner meetings

Building on a rich history, the SAMHSA Addiction Technology Transfer Center (ATTC) Network is dedicated to identifying and advancing opportunities for improving addiction treatment. The ATTC vision is to unify science, education, and services to transform the lives of individuals and families affected by alcohol and other drug addiction. The Network undertakes a broad range of initiatives that respond to emerging needs and issues in the treatment field and disseminate the latest science to the treatment community. The SAMHSA ATTC/SVORI Cross-Discipline Training of Trainers Project was developed in response to the BJA goal to provide criminal justice-substance use disorder cross training to grantees in 69 sites around the United States that are receiving funding for the Serious and Violent Offender Reentry Initiative (SVORI) Program. In response to the request for training and technical assistance, the CSAT ATTC National Office consented in FY 2005 to lead a nationwide effort to train teams of trainers in each state. The ATTC National Office is coordinating a training opportunity for SVORI teams in each state to learn from

experts on how to conduct cross-discipline training. Several “train the trainers” events were held across the Nation, and lessons learned were taken back to the individual SVORI sites.

SAMHSA is working closely with BJA on the “Justice and Mental Health Collaboration Program” for increasing public safety through innovative cross-system collaboration for individuals with mental illness who come into contact with the criminal or juvenile justice systems. SAMHSA participates in regularly scheduled meetings with Justice staff and has been collaborating on the development and design of approaches to better coordinate technical assistance and training resources between the two agencies.

CSAT has been actively involved with the Council of State Government’s criminal justice initiatives that also deal with offender reentry issues. SAMHSA and other federal agencies have provided funding for the Urban Institute’s Reentry Policy Forum.

SAMHSA and BJA also co-sponsor a Federal Consortium Addressing the Substance Abusing Offender (FCSAO) comprised of representatives of 15 Federal agencies. These representatives meet quarterly for an informal information exchange on all initiatives addressing the substance-abusing offender, including Treatment Drug Courts grant programs. SAMHSA also coordinates with the National Highway Transportation Safety Administration (NHTSA), which provides funding for DUI/DWI Courts, for a regular exchange of information on grant programming. NHTSA also attends the FCSAO meetings.

5. When you give a grant to an organization, how do you determine if other federal agencies have also given a grant? Does that affect what type or size of grant you award?

SAMHSA program announcements request that the applicant disclose other sources of Federal and non-Federal funds. In addition, as part of the SAMHSA Grants Management written budget review and analysis of each grant application, there is a specific question related to “other support in the competing year” that requires an answer from each applicant. If there is any indication of duplication or overlapping funding, Grants Management and program staff will work with the grantee. The grantee is required to address this issue. If it is determined that there is overlap with other awards, this could affect the type or size of the SAMHSA grant award in question.

For example, in 2005 CSAT initiated the Campus Screening and Brief Intervention (SBI) program. Before the Campus SBI award was made to the University of Hawaii – Manoa, SAMHSA identified a possible overlap with the alcohol screening program funded via a Department of Education grant. The University of Hawaii also mentioned this possible overlap during our initial contact with them about the grant. As a minor portion of the Department of Education grant, dormitory counselors were

trained to perform some alcohol screening with students. These counselors also were included in the population to be trained as part of the CSAT grant. Prior to implementation of the grant, SAMHSA negotiated with the Department of Education and the grantee to ensure there was no duplication.

6. When a grantee receives grants from multiple agencies, do you coordinate and measure their performances differently than a grantee that only receives a grant from one agency? If so, how?

Each Federal agency has independent grantee performance measures as determined by the mission and reporting requirements of the respective Federal Department and the Office of Management and Budget. Regarding reentry populations, SAMHSA was involved in the development of the SVORI and PRI solicitations, and components of SAMHSA's NOMs were incorporated into these solicitations even though they were issued by DOJ and DOL, respectively.

SAMHSA measures performance of all substance abuse services grantees through its GPRA universal data collection tool. Whenever a grantee receives one or multiple grants from SAMHSA, it must comply with the appropriate GPRA measures. Whenever an organization receives grants from other agencies, that organization must still comply with the SAMHSA GPRA performance requirements.

7. When multiple agencies are giving grants to the same organization (for different purposes) does each agency coordinate with a different representative of that organization and work separately?

The grant is legally issued to the authorized representative (usually the Chief Operating Officer or governmental head), who signs the grant application. This is often the same individual who is receiving multiple awards from different Federal agencies. However, each grant issued is required to have a Project Director/Principal Investigator who is the daily contact with the funding agency and is responsible for the day-to-day operations of the grant. Each Project Director has a designated amount of time (full-time or part-time) dedicated to the grant. Since many Project Directors are full-time or "in kind" positions, it is not feasible for each agency to coordinate with the same person when the scope of work for the grants is for different purposes.

8. How often are the available grants coordinated through a parole officer or a judge?

SAMHSA's criminal justice grant portfolio is divided between "front end" grants (Treatment Drug Courts) and "back end" grants (Reentry grants). The majority of the treatment drug court grants were issued directly to local judicial units. Although the presiding drug court judge is usually too busy to be the day-to-day contact or the

Project Director, he or she is directly involved in the operation and oversight of the grant. Judges are included as key grant staff and are invited to the grantee meetings and other grant-related activities.

The reentry grants provide services through community-based treatment agencies or community corrections supervision. Whether the grant was issued to community corrections or a treatment provider, the parole officer/community supervision officer is a critical stakeholder in these grants and plays a major role in the determination of entrance into the project, retention in the project, and completion or termination of the client in the project.

9. During the hearing we heard from the Second Choice Panel witnesses that one program in isolation is not enough; for example an ex-offender needs a job, a place to live, and drug treatment to succeed. Are there grantees that do not serve the ex-offender holistically? In other words, are there people who are getting drug treatment supplemented by a federal grant who do not have a job or a place to live? If so, are there any efforts to get that individual linked with resources provided through other agencies?

SAMHSA is fully cognizant that substance abusing offenders have multiple needs that must be met in order to increase their chances of remaining in the community as drug-free, law abiding citizens. SAMHSA's vision of a "life in the community for everyone" through its mission of "building resiliency and facilitating recovery" requires that its substance abuse treatment programs for the criminal offender be based on the concept of a comprehensive array of treatment and recovery services. In addition to addressing the substance use/abuse issue, this array of services should address key life issues such as criminal and juvenile justice involvement, education, employment, housing, family and social connectedness.

While SAMHSA funding may not pay for services to rectify each life issue (housing, for example), the types of comprehensive recovery services funded should include case management or other assistance in dealing with these areas of need. The importance of these life stakes are demonstrated in SAMHSA NOMs, which are captured for each discretionary grant client served by SAMHSA funds. This is captured through GPRA data as well as local evaluation reports

Regarding SAMHSA reentry programs, the Young Offender Reentry Program (YORP) solicitation required the applicant to address both 'systems linkages' and 'services/treatment' in order to holistically address the offender's needs. System linkages are activities that support communities in their development of a comprehensive, multi-agency approach to expanding/enhancing substance abuse treatment in addition to juvenile/criminal justice supervision. Up to 15 percent of grant funding could be used for systems coordination and planning activities to bring key stakeholder agencies/organizations together. Furthermore, SAMHSA required

letters of commitment from key stakeholders including but not limited to: State or local Department of Corrections; State or local Alcohol and Drug Abuse agency; State or local Mental Health agency; the State or local juvenile/criminal justice agency responsible for community supervision upon release from incarceration; community-based substance abuse treatment providers; and other Federal, State or local government agencies and community based organizations such as faith-based organizations whose services would be used for ancillary reentry services such as housing assistance, job skills development, employment assistance, education and vocational assistance, and family counseling, among other services.

10. Do you think it would be a better use to taxpayer money to coordinate assistance through a parole officer or a social worker so that prisoners have a better chance at success?

SAMHSA believes that services coordination is best provided at the local level through a number of individuals best situated to coordinate treatment and supervision services. In some jurisdictions a parole officer may be trained as a multi-disciplinary case manager who coordinates the overall treatment and supervision of the offender and this is effective. However, in most cases the parole officer or similar reentry supervision officer does not have the time or the support staff to perform the multiple responsibilities of coordinating justice supervision, drug testing, workforce assistance, job skills assistance, family reunification and therapy, screening and assessment, treatment involvement, educational, and health care access among other services.

Many different models of coordinating and providing services for offenders have been developed over the past few decades; they include: "one stop" centers that bring together all critical services support under one roof; centralized case management that assesses client needs and refers the offender out to specialized service providers; day treatment centers that bring the offender to a central parole/probation center where he/she receives treatment and support services during the day and is referred out to community-based providers; and Treatment Alternatives for Safe Communities programs where the offender is screened, assessed, referred to treatment and provided case management by an independent, community-based organization that acts as a coordinator to the justice system. These are but a few of the multiple types of services coordination models that exist throughout the country. Each locale can best determine the type of services coordination that works best in that community given the resources available.

It is important to point out that regardless of the type of services coordination both the justice supervising agent (Parole Officer, for example) and the community-based services providers must work together in order to address the needs of the individual offender and also provide for both the public safety and public health interests of the community.



KANSAS DEPARTMENT OF CORRECTIONS
ROGER WERHOLTZ, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

FOLLOW-UP RESPONSE OF ROGER WERHOLTZ
SECRETARY KANSAS DEPARTMENT OF CORRECTIONS
TO THE ADDITIONAL QUESTIONS OF THE
SUBCOMMITTEE ON CORRECTIONS AND REHABILITATION
SENATE COMMITTEE ON THE JUDICIARY
ON
"OVERSIGHT OF FEDERAL ASSISTANCE FOR PRISONER REHABILITATION AND
REENTRY IN OUR STATES"
SEPTEMBER 21, 2006

(1) I understand that following healthcare and education, corrections is the third highest expenditure in most states. What are some plans that you have to reduce recidivism in your state?

The Kansas Department of Corrections (KDOC) has created two reentry programs and established them in two very populated areas of the state. We have increased services for mentally ill offenders. Through our reentry initiative, we have created a position of Offender Workforce Development Specialist, which coordinates with the Workforce Development division of the state Commerce Department. The KDOC has created a statewide plan for risk reduction with more resources being devoted to the mission of successful reintegration of returning offenders. Finally, we have devoted much time and resources to the training and retraining of staff. Some of the programs that the staff has been trained on include Cognitive Reflective Communication (CRC), Level of Services Inventory-Revised (LSI-R), and Advanced Communication and Motivational Strategies (ACMS). These efforts involve internal dialogue and cross-training with external parties. It has been an essential part of our plans to clarify the goals and mission of the department with not only staff and external parties, but also the State Legislature.

(2) What is the role that parole officers play in collaborating the services needed for ex-offenders?

The duties of parole officers have been modified to include more case management and service connection for reentering offenders. In urban areas, specialized caseloads based on inmate characteristics have been created. Parole officers are practicing risk reduction practices that target the higher risk offenders specifically. All of these strategies have been possible due to redefining the roles and skill sets of parole officers, correctional counselors, and uniformed personnel. The end goal

is to increase the probability for offenders' successful reentry into the community by preparing a single unified release plan that begins well in advance of release and continues through post-release supervision.

- (3) You mentioned that collaboration among the different agencies and programs is important. How do the various programs collaborate in your state? Also, as Senator Sessions pointed out in his questioning during the first panel, if Labor and HUD are coordinating that is only good to a certain point because neither Labor nor HUD know the name of the prisoner that is being released. How do you make sure that the people being released from prison have accountability and access to the programs available?

The methodology that the DOC has employed is both a formal and informal collaboration. We have placed positions in targeted non-correctional agencies that are capable of providing services to offenders. For example, the DOC has created Specialist positions within the Kansas Development Finance Authority and Kansas Housing Resources Corporation, and the Kansas Department of Social and Rehabilitation Services (SRS). We will soon have additional positions placed within the Kansas Department of Commerce (to address job development) and SRS (to address family and child support issues). We are also co-funding positions at SRS to address mentally ill offenders. The Department of Corrections was instrumental in forming the Kansas Reentry Policy Council (KRPC) which comprises a multi-agency steering committee and task groups. The KDOC has had informal multi-agency/discipline work groups that have addressed issues such as mental health and substance abuse services, child support, and housing for at least three years. These efforts have been effective and productive in altering and/or creating policies and legislation.

However, the collaboration has to occur at the state and local levels. The state level is used for addressing policy/system issues (as stated above). The collaboration occurs at the local level because that is where the offender is and where services actually get delivered. Some of the examples of our local level collaboration include: formal meetings and information-sharing structures; the establishment of protocols for accessing services; and occasionally placing positions within organizations to increase access and span the services offered within the various systems, including the funding of a police officer position for both the SVORI program and Wichita reentry program.

The role of the federal agencies is critical in: 1) setting a tone, 2) removing barriers that have been put into place over time, 3) providing funding for start-up work, and 4) providing research and guidance on effective practices. The ability to establish best practices content and utilize technical assistance contacts is due to primary funding by the federal government. The National Institute of Corrections (NIC) has been one of the largest champions of the reentry progress made by the State of Kansas. We have also experienced good technical support from various other federal agencies with regard to integrating systems.

- (4) Your state has seemingly succeeded in reducing recidivism. What did you do that might have made this positive change?

All of the aforementioned work with an emphasis in rewriting position descriptions and policies in parole to incorporate risk reduction with risk containment and the needed skill-training to accomplish our organizational goals. This work is also underway in the facilities. The other quality that has been enormously helpful has been the development of consensus across the political spectrum. For example, Kansas' U.S. Senator Brownback is actively promoting the goals of the reentry program. Democratic Governor Sebelius and the Kansas Legislature, which has a majority of Republican delegates, have taken similar positions in support of reentry strategies as an effective method to safely reduce recidivism. The Department of Corrections also attributes much of its success to the huge investments (both resources and expertise) that have been made within our state by national organizations such as VERA, NIC, the Council of State Governments (CSG), Center for Effective Public Policy (CEPP), and the Center for Sex Offender Management (CSOM).

- (5) I have a particular interest in drug courts and two of the things that I find so appealing are the coordination of services and the accountability the offender has from the judge. Has this model been applied to re-entry? Can this model be applied with case workers, parole officers, or people working within the prisons? How can we apply the benefits of accountability and full service to those who receive individual grants? What about SAVORI encouraged collaboration and why do you think it was successful?

Our reentry model definitely coordinates services (through case managers) and holds offenders accountable (through local community-staffed accountability panels). Thus, the model can be seen as a parallel in corrections. In short, we feel that the community must be involved in some way so as to work in tandem with the state and offenders on risk reduction and reentry work. The voice of the community tells offenders that the community supports offenders' successful reintegration and will assist in providing the services and support that the offender needs. In return, the community expects the offender's participation, cooperation, and compliance.

One of the problems common to many grant programs has been to mandate accountability without specifying goals or measures tied to the funder's expectations, without making those accountability measures uniform across funded programs to enable meaningful comparisons, without requiring a description and prior approval of the evaluation design, and without adequately funding the evaluation component. Quality evaluations are not cheap. However, government entities too often invest millions of dollars in new strategies but refuse to invest sufficient resources (even though they would be a fraction of the total investment) in evaluation to determine if the desired outcomes were actually obtained.

SVORI was marketed as having some specific goals. Some of these specific goals included accountability, service coordination through system integration, and system change through collaboration. To the extent that these goals were adopted, and implemented, a real difference was made. Through SVORI, we were also able to participate in several technical assistance conferences (one exclusively devoted to effective collaboration), and all of which helped us implement these practices. It was clear in the grant criteria that evidence of effective collaboration was necessary to successfully compete for funding.

COBURN QUESTIONS

1. What has your experience been in the grant process? For example, once you receive a grant what is your contact like with the administering agency? What kind of accountability and oversight is conducted?

In general, federal agencies could allow for more time between the release of an RFA and the deadline for submission.

Specifically, our interaction with the Department of Labor has been positive. The agency provides strong technical assistance, oversight and accountability ~ our project officers are engaged but not intrusive. Technology in particular has enabled a DoL reporting infrastructure that is much more efficient and user-friendly

2. Your organization places a high emphasis on employment. What are some of the best strategies to help a person obtain employment and keep it?

The point at which a formerly incarcerated individual moves back to his/her community is critical – giving a person the choice of returning to past criminal behavior or taking a new path of responsibility and productivity. Many people with criminal records struggle to secure permanent employment because of the limited number of employers willing to hire people with criminal records, low occupational skill level and little or no job hunting experience. Transitional employment offers a vehicle by which people with criminal records can learn the customs and routines of work, acquire work-task skills, establish a work record and generate employer references to enhance their competitiveness for private sector employment. Therefore, we strongly encourage consideration for an increase in transitional job opportunities. Employer incentives could go a long way in encouraging otherwise reluctant employers to consider this labor source. Several models have been implemented and are showing success. Safer's model incorporates a for-profit partnership which pays fair market wage while the newly hired employees are supported through Safer's program area. We would gladly provide more information through a presentation.

3. Do you have any more suggestions as to how we can better leverage the resources we have invested in rehabilitation and reentry as successful as possible? Are there principles or grant requirements you

would recommend so that those who receive the grants can give better service to the ex-offender?

Hard skills training in jobs consistent with labor market needs improves significantly the opportunity for long term living wage employment. Slots for that training can be accessed through effective partnerships with community colleges, WIA vocational training slots and other existing programs. The federal government can encourage these partnerships and support inclusion of the reentry population to these already funded endeavors.

SUBMISSIONS FOR THE RECORD

**TESTIMONY OF
MASON M. BISHOP
DEPUTY ASSISTANT SECRETARY
FOR THE EMPLOYMENT AND TRAINING ADMINISTRATION
U. S. DEPARTMENT OF LABOR
BEFORE THE
COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON CORRECTIONS AND REHABILITATION
UNITED STATES SENATE**

September 21, 2006

Dr. Coburn, Ranking Member Durbin, and distinguished members of the Subcommittee, I am pleased to have the opportunity to discuss the Department of Labor's considerable work on prisoner re-entry initiatives. In my testimony today, I will describe the Department of Labor's approach to prisoner re-entry efforts and provide an overview of the Department's work in this area, including the programs and funding sources currently available to state and local governments and community and faith-based organizations for re-entry efforts.

I. Introduction

Two philosophical underpinnings exist for all of the Department of Labor's re-entry efforts: (1) employment is the core focus of all efforts and issues such as housing, mental health and substance abuse treatment are addressed in the context of the employment goal; and (2) faith and community-based organizations often possess unique strengths and resources that make them critical partners in addressing these issues. These two underpinnings are embodied in the President's Prisoner Re-entry Initiative (PRI) – which he announced in his January 2004 State of the Union address – as well as other projects funded by the Department of Labor. Since Fiscal Year 2000, the Department of Labor has devoted approximately \$371.5 million to prisoner re-entry efforts of various types that I will describe further in my testimony.

II. The Need for Reentry Efforts

There is a great need in this country for programs to assist prisoners returning home to their communities. Each year more than 650,000 inmates are released from Federal and State prisons and return to their communities and families. The return of these ex-prisoners challenges many of the most troubled neighborhoods in America. Without help, a majority of ex-prisoners do in fact return to criminal activity. For example, according to the U.S. Department of Justice, almost three out of five inmates returning to society will be charged with crimes within three years of their release from prison and two out of five will be re-incarcerated.

Released prisoners face myriad challenges that contribute to a return to criminal activity, re-arrest, and re-incarceration. Joblessness among ex-prisoners has been broadly linked to recidivism rates. Statistics demonstrate that even before incarceration, adult prisoners demonstrate weak or non-existent ties to the workforce. Data show that nearly one-third of adult prisoners were unemployed in the month before their arrest.¹ Post-incarceration, unemployment among ex-prisoners has been estimated at between 25 and 40 percent. Likewise, prisoners also have low levels of educational attainment. Nineteen percent of adult State prisoners are completely illiterate and 40 percent are functionally illiterate;² over half of State parole entrants were not high school graduates and as many as eleven percent had only an eighth grade education or less.³

Research has also broadly documented the substance abuse and mental health issues of ex-prisoners—factors that are likely to contribute to poor education levels, lack of employability, and a return to criminal activity. A study of parolees from State prisons in 1999 found that 84 percent had been using an illegal drug or abusing alcohol at the time of their offense. One-quarter had been alcohol dependent, one-quarter had been intravenous drug users and twelve percent were homeless at the time of their arrest. In some States, nearly one-quarter of parole

¹ Petersilia, 2002. *When Prisoners Come Home: Parole and Prisoner Reentry*

² Rubinstien, 2001 as quoted in Petersilia, 2002

³ Petersilia, 2002

revocations were related to drug-related violations.⁴ Estimates of mental illness among the prison population vary. A recent survey of prisoners issued by the Justice Department's Bureau of Justice Statistics on September 6, 2006 indicates that more than half of all prison and jail inmates, including 56 percent of state prisoners, 45 percent of federal prisoners and 64 percent of local jail inmates, were found to have a mental health problem. The survey further found that about one in three state prisoners with mental health problems, one in four federal prisoners and one in six jail inmates had received mental health treatment since admission.⁵

In returning to criminal activity, ex-prisoners reduce their chances of living healthy and positive lives for both themselves and their families. Research indicates that parental loss is related to a host of poor outcomes for children that include poverty, drug abuse, educational failure, criminal behavior, and premature death. Healthy and consistent relationships between parents and children strengthen the community by positively impacting both the parent and the child's generations. Ex-offenders who maintain strong family and community ties have greater success in reintegrating into the community and avoiding incarceration.⁶

III. The President's Prisoner Re-entry Initiative

The President's Prisoner Re-entry Initiative seeks to strengthen urban communities characterized by large numbers of returning prisoners through an employment-centered program that incorporates mentoring, job training, and other comprehensive transitional services. This program is designed to reduce recidivism by helping non-violent ex-offenders find work when they return to their communities as part of an effort to build a life in the community. The Initiative utilizes the unique strengths of faith-based and community-based organizations (FBCOs) and provides a direct link to the communities to which they are returning. In addition, the Department of Justice has held a limited grant competition to conduct pre-release services for program participants in the 20 states where the Department of Labor grants were awarded.

⁴ Hughes, T.A., Wilson, D.J., and Belk, A.J., 2001, *Trends in State Parole, 1990-2000*. Bureau of Justice Statistics, Special Report, NCJ 184735

⁵ James, D.J., and Glaze, L.E., 2006, *Mental Health Problems of Prison and Jail Inmates*. Bureau of Justice Statistics, Special Report, NCJ 213600

⁶ Hairston, 1991; Muston, 1994; Nelson, 1999

In response to the President's 2005 and 2006 budget requests, Congress has appropriated a total of \$54 million for PRI to DOL and DOJ. Competition for DOL's portion of the funding has been robust. DOL received over 500 applications for its first solicitation for grant proposals; of these, 30 were awarded funding in November 2005. Partnerships are a critical component of this project; applicants were asked to describe linkages among the criminal justice system, the public workforce system, the public housing authority, and mental health and substance abuse treatment providers.

The goal is to serve 6,250 released prisoners during the first year of the Initiative. Grantees began operation in March 2006. As of September 8, 2006, 2,874 participants had been enrolled, with 1,469 of these placed into employment. As of September 11, 2006, 686 discrete services had been provided to the target group. We are set to achieve the outcome goals we set for the first year of the initiative. We have also established a rigorous performance tracking system for our grantees, which will allow us to track placement in and retention of employment, and recidivism.

DOL has collaborated with several Federal agencies in the implementation of the PRI grants. DOL works in tandem with the Department of Justice in providing guidance to grantees in how to obtain documentation necessary to prove program eligibility for participants. The National Institute of Corrections within DOJ is providing training to job developers in the 30 PRI grants. The Department of Health and Human Services is coordinating PRI projects with their Access to Recovery (ATR) grantees to provide substance abuse treatment and housing assistance. The Corporation for National and Community Service (CNCS) is providing AmeriCorps VISTA volunteers for 20 selected projects. The Department of Housing and Urban Development has helped plan the initiative and may in future years provide funds for transitional housing services for PRI participants.

Because employment is a key to an ex-offender's success in re-entering society, we have placed a strong emphasis on job development, contacts with private sector employers, high-growth employment in implementing PRI. Some key best practices that we have identified thus far include the following:

- The Chicago PRI project is a good example of how this initiative can strengthen the capacity of faith-based organizations to serve returning prisoners. The Safer Foundation is using its PRI grant to build up the capacity of neighborhood-based churches to serve released prisoners in some of the poorest communities in the city by training case managers at each of their three faith-based sub-grantees. Mentoring of returning prisoners occurs right at the neighborhood churches. The churches are also recruiting parishioners to be mentors for the prisoners. Thus far, the Safer Foundation has served 146 enrollees, provided them with 659 separate services, and placed 71 of them in jobs.
- The Talbert House in Cincinnati has thus far provided the most services to released prisoners of the PRI grantees. The Talbert House has served 144 enrollees, provided them with 933 services, and placed 117 of them in jobs. Talbert House was founded 40 years ago with the support of the Catholic Archdiocese, the Southern District of Ohio Presbyterian Church, and Hebrew Union College.
- Of the PRI grantees, the Directors Council in Des Moines has placed the largest number of enrollees. Thus far, the Directors Council has served 144 enrollees, provided them with 803 services, and placed 120 of them in jobs. The Directors Council is a collaboration of several community-based organizations that serve the Des Moines area.
- In St. Louis, the parole officer works full-time with the PRI grantee and is housed at St. Patrick Center, the grantee location, in order to work hand-in-hand with the staff. Thus far, the St. Patrick Center has enrolled 102 enrollees, provided them with 461 separate services, and placed 62 of them in jobs.

The Department has also put in place an 18-month outcome evaluation in order to determine the initiative's effectiveness and to analyze the extensive program data being collected by the 30 grantees. The evaluation will also look at the implementation of an employment-centered re-entry approach in order to gain further insights into successful re-entry practices.

IV. Responsible Reintegration of Youthful Offenders

The Department also funds a variety of projects aimed at serving young offenders and youth at-risk of becoming involved in the justice system. The Department has supported projects aimed at young offenders, at-risk youth, youth in the juvenile justice system, and youth in the adult criminal justice system. The Department has also funded projects in partnership with the Justice Department for the Serious and Violent Offender Re-entry Initiative.

The Department currently funds projects using demand-driven strategies designed to move youth into high-growth occupations; provides employment to youth offenders and youth at-risk of criminal involvement in selected cities; provides training in construction; and utilizes community service for youth offenders returning to their communities from correctional facilities. Other programs funded include state-operated projects aimed at improving the academic and workforce preparation components for youth in correctional facilities; local projects that involve faith-based organizations in assisting released prisoners returning home; locally-operated projects that serve youth returning home from correctional facilities and first-time offenders assigned to alternative sentences; projects targeting both Hispanic and African American at-risk youth in several cities; and two projects aimed at serving at-risk Native American youth. Lessons learned from these demonstration projects have been incorporated into the design of PRI.

The Department has accomplished the following:

- The local community grants have succeeded in placing youth in employment. The evaluation of the local community grants found that 69% of 14-17 year-olds and 79% of 18-24 year-olds that were served by a set of eight study sites were placed in subsidized or unsubsidized employment.
- The state grants are increasing the reading and math achievement levels of youth, in large part because they can spend so much time with youth while the youth are behind bars. For example, the State of California has provided 200,922 hours of

services to 361 youth and is reporting average gains of three grade levels in reading and four grade levels in math for the youth receiving remedial services in these areas. The State of Pennsylvania has provided 142,451 hours of services to 383 youth and is reporting average gains of 1.6 grade levels in reading and 3.6 grade levels in math.

- Some states are considering improvements in their educational offerings at correctional facilities because of lessons learned from these grants. Examples of this include Virginia picking up the funding of the DOL grant project at the first facility served by the grant; Michigan considering adding counselors at its other juvenile facilities; and California considering adding career academies similar to the one started under the DOL grant at other California youth correctional facilities.

Serious and Violent Offender Reentry Initiative (SVORI): DOL collaborated with the Departments of Justice, HHS, Education, and HUD to focus on the increasing number of offenders who are being released from prisons, jails or court-affiliated training schools through the Serious and Violent Offender Reentry Initiative (SVORI). This initiative was designed to reduce further criminal activity by violent ex-offenders upon their return to their communities through job training and supportive services in preparation for gainful employment.

SVORI was a comprehensive effort addressing both juvenile and adult populations of serious, high-risk offenders. The initiative provided funding to develop, implement, enhance, and evaluate reentry strategies that ensure the safety of the community and the reduction of serious, violent crimes. Sixty-nine grants with a total value of \$125,000,000 were in operation from July 2002 through June 2005. DOL provided \$52,660,000 of this total. The Department of Justice is prepared to describe and explain the SVORI program in its testimony before the Committee.

Ready4Work: *Ready4Work* is a three-year ex-offender re-entry demonstration project overseen by ETA and the DOL Center for Faith-Based and Community Initiatives (CFBCI) and is funded by DOL, DOJ, and a consortium of private foundations. *Ready4Work* uses community and faith-based organizations to help people returning from prison find jobs and assist their

transition back into their communities. The core components of the program model include case management, job readiness training, job placement assistance, and faith-based mentoring (either one-on-one, group, or team mentoring). Beyond the core components, *Ready4Work* sites also provide, typically through partnerships with local community-based organizations, other services as needed, such as assistance with housing needs, substance abuse counseling, or GED classes. It was hoped that the combination of these services would help overcome the barriers ex-offenders face in finding and retaining jobs, which in turn would lead to lower recidivism rates among *Ready4Work* participants.

Between October 2003 and April 2006, the 11 adult *Ready4Work* sites have enrolled 4,465 participants and provided services to them for a median of 8 months. During this period, 2,497 *Ready4Work* participants have been placed in employment, with 1,425 of these participants remaining employed for at least three consecutive months. Moreover, only five percent of participants who have reached their 1-year post-release anniversary have returned to prison.

During the project's third and final year, statistics comparing *Ready4Work*'s six-month and one-year known recidivism rates with the Bureau of Justice Statistics' expected recidivism rates for the population *Ready4Work* serves are promising. The known recidivism rate among *Ready4Work* participants is 38% lower than the rate stated by the Bureau of Justice Statistics at six months after release and 48% lower at one year after release. The three-year budget for this project is \$24.9 million, of which \$17.5 million was provided by DOL.

V. Leveraging WIA Formula Dollars

Targeted funding for re-entry efforts allow the Department to test innovative strategies and approaches. However, in order to sustain these efforts, States and local governments need to leverage the resources they receive on an annual basis under the Workforce Investment Act of 1998 (WIA). Formula dollars allocated to states for the WIA Youth and Adult programs can be used to serve this important population. For example, in Montgomery County, Maryland, the Director of the Local Workforce Investment Board collaborated with the Director of Corrections

for Montgomery County to establish a One-Stop Career Center within the local jail. WIA funds support half of the salary of the staff person at this center. Inmates at the jail contributed \$22,000 from their own funds raised from canteen sales towards establishing the Center and the purchase of computers. The inmates consider supporting the Center as an investment in itself and are very proud of their role in establishing and maintaining the center. Montgomery County also uses non-WIA funds to support a case manager dedicated to serving ex-offenders at a One-Stop Center located outside the jail.

VI. Other Programs and Initiatives

As requested by the Subcommittee, I will discuss several other programs and initiatives that also contribute to prisoner re-entry efforts, including tax credit and Federal bonding programs that help non-violent ex-felons.

A. Tax Credits and Bonding

The Work Opportunity Tax Credit (WOTC) is a Federal tax credit that encourages employers to hire eight targeted groups of job seekers by reducing employers' Federal income tax liability by as much as \$2,400 per qualified new worker. Among the targeted groups are ex-felons from low-income families. The WOTC expired at the end of 2005 and legislation is pending before Congress to extend the credit retroactively to the beginning of 2006.

The Federal Bonding Program, sponsored by the Department of Labor, serves as a tool to secure the job placement of ex-offenders and other high-risk applicants by issuing fidelity bonds. These bonds are business insurance policies that protect the employer in case of any loss of money or property due to employee dishonesty.

B. Incarcerated Veterans Transition Program (IVTP): The Homeless Veterans Comprehensive Assistance Act (P.L. 107-95) amended Title 38 U.S.C. to revise, improve and consolidate provisions of law providing benefits and services to homeless veterans. Section

2023 of the Act mandated a “Demonstration Program of referral and counseling for veterans transitioning from certain institutions who are at risk of homelessness.” The demonstration program was to be carried out by the Department of Veterans Affairs (VA) and the Secretary of Labor in at least six locations (one of the locations was to be in a penal institution under the jurisdiction of the Bureau of Prisons).

The Department of Labor’s Veterans’ Employment and Training Service worked with the VA to implement a two-pronged approach to provide referral and counseling services to incarcerated veterans who are at risk of homelessness. The first approach was to develop a Solicitation for Grant Applications to serve incarcerated veterans at four demonstration sites. The first four proposals awarded (\$250,000 each) were funded from April 1, 2004 – March 31, 2005. The four grantees were Volunteers of America (KY), Quad Area Community Action (LA), Joint Efforts (CA), and Volunteers of America (CA). Three more demonstration sites were funded from July 1, 2004 – March 31, 2005: Salvation Army (NY); Vietnam Veterans of San Diego (CA); and Veterans Benefits Clearinghouse (MA). All seven of these demonstration grants have been extended through June 30, 2007.

The second approach was to train 120 Local Veterans’ Employment Representative (LVER) staff members and Disabled Veterans’ Outreach Program (DVOP) specialists to facilitate workshops for incarcerated veterans. Colorado, Connecticut, Georgia, Illinois, Kentucky, Virginia, and Washington were identified as potential pilot states. In five of those states, LVER staff members and DVOP specialists currently are providing IVTP workshops at correctional facilities within the states. Of the 836 participants that took part in the workshops in FY 2005, 827 were enrolled in case management, 671 were referred to One-Stop Career Centers, 262 individuals entered employment and 320 received VA services.

To date, over two thousand incarcerated veterans have participated in the IVTP. The results indicate that many of the participants will go from “tax taker to taxpayer” at a cost that is significantly lower than the cost to retain them in prisons or jails. Cost for incarceration at state and Federal prisons is approximately \$22,000 a year compared to IVTP grantee costs of \$4,300 per job placement. FY 2005 expenditures for the IVTP demonstration grants were \$1.6 million.

VII. SUMMARY AND CONCLUSION.

As evidenced by my written testimony, the Department of Labor has considerable program oversight for initiatives assisting prisoners in returning to the labor force, including an integral part of the President's Prisoner Re-entry Initiative (PRI) along with the Departments of Justice and HUD. The President's 2007 budget for the Department of Labor includes \$19.6 million for the third year of funding of this four-year initiative. Unfortunately, neither the House nor Senate Committee-reported Labor-HHS-Education Appropriations bills include this important funding. Without continued funding for PRI, we are concerned that much of the progress that has been made will be lost. We will continue to work with Congress to secure funding for this critical initiative.

The Department is also aware of pending legislation – S. 1934 and H.R. 1704, the "Second Chance Act" – which would authorize additional funding for prisoner re-entry initiatives primarily by state and local governments. The Department recommends that faith-based and community groups be explicitly included in any legislation including the "Second Chance Act" bills.

Overall, the Department has significant programs to help ex-offenders re-enter their communities and we appreciate the Subcommittee's oversight on these efforts. We look forward to providing the Committee any further information it requires. I will be pleased to respond to your questions.

Written Statement of Robert J. Bogart

**Director of the Center for Faith Based and Community Initiatives
U.S. Department of Housing and Urban Development**



Before the

**Subcommittee on Corrections and Rehabilitation
Committee on the Judiciary
United States Senate**

September 21, 2006

Chairman Coburn, Senator Durbin and distinguished members of the Subcommittee, thank you for inviting me here today to testify on federal assistance for prisoner reentry.

Every year, more than 650,000 ex-offenders are released from America's state and federal prisons, often arriving on the doorsteps of our nation's communities without a place to call home. Studies show that approximately two-thirds of ex-offenders are rearrested within three years of release, and that the crimes they commit during this period come at great expense to affected communities.

To help ex-offenders stay away from crime, a substantial number of faith-based and community organizations (FBCOs) have created comprehensive programs addressing the myriad challenges faced by this population. Working with a broad coalition of public and private partners, these organizations provide job training and placement services, housing options, and transitional services like mentoring support that help ex-offenders contribute to their communities, rebuild their lives, and stay out of prison.

In his 2004 State of the Union address, President Bush proposed a four-year \$300 million Prisoner Re-Entry Initiative (PRI) to reduce recidivism and help ex-offenders contribute to their communities through a federal partnership between the Departments of Justice, Labor and Housing and Urban Development. The objective of the Initiative is to harness the resources and experience faith-based and community organizations bring to the table. By relying on the strengths, experience and community ties of these organizations, along with the resources of the Federal government, ex-offenders would be better assisted and have a greater opportunity to rebuild their lives and develop the social and vocational skills necessary to become productive citizens.

The four-year Prisoner Re-Entry Initiative (PRI) is designed to provide training and job-placement services, transitional housing and mentoring to non-violent ex-offenders. To date, the PRI targets program resources to those urban communities most heavily affected by returning ex-offenders. It funds experienced FBCOs with the proven capacity to administer grant activities and leverage the resources of FBCOs and other public and private agencies already involved in providing these services.

On November 8, 2005, the U.S. Department of Labor (DOL) awarded 30 grants to FBCOs to develop an employment-centered program that incorporates mentoring, job training, and other transitional services to the returning ex-offenders. The Department of Justice (DOJ) subsequently awarded grants to state agencies to provide pre-release assessment, programming and services, transition planning, and post-release supervision and coordination of services for prisoners returning to communities served by DOL grants. The U.S. Department of Health and Human Services (HHS) will also assist in the design and implementation of the Initiative in the areas of substance abuse and mental health treatment through the Access to Recovery Program.

A crucial component of a successful Prisoner Re-Entry Initiative is providing housing. Many ex-offenders need a place to reside immediately upon release from prison – at a minimum on a temporary basis, and HUD can provide the transitional housing needed with relevant supportive services. The Department is capable of providing this critical assistance to achieve the objectives of the Initiative as well, but to date has not received any of its requested funding for the PRI.

HUD's \$25M budget request each year for fiscal years 2005, 2006 and 2007 would have funded transitional housing as a key component of the PRI. Under such funding, eligible activities would have been limited to acquisitions, minor rehabilitation (e.g. reconfiguring a

doorway for handicap accessibility), leasing, operating costs, and approximately 5% in limited administrative costs.

PRI funding is needed because HUD lacks the requisite authority to use other sources of funding for the discharge planning of individuals from institutions, or even for homeless prevention. The Administration proposal would make it possible for HUD to fund grantees providing housing specifically for ex-offenders who are not defined as homeless.

Given that adequate housing is an important component of successful reentry into society for ex-offenders, HUD respectfully urges the Congress to provide \$25 million for the PRI this year, consistent with President Bush's FY2007 budget request. These funds would be used in heavily targeted areas or multiple jurisdictions, so as to alleviate the possibilities of funds dilution and high administrative overhead. These funds would be made competitively available to faith-based and community-based organizations with proven capacity for addressing the special needs of the ex-offender population.

We would also urge Congress to maintain funding for PRI for our federal partners. Both the House and Senate Appropriations Committees have reported out bills that contain no funding for the Department of Labor's portion of the initiative for FY07, and the Housing and Urban Development piece has not been funded to date. We regret this development and continue to believe that a multifaceted-approach, utilizing the full resources of all our federal partners consistent with the President's FY07 budget request, is the best way to effectuate real change.

Thank you very much and I am pleased to answer any questions you may have.

Statement of U.S. Senator Russell D. Feingold
Senate Committee on the Judiciary
Subcommittee on Corrections and Rehabilitation
Hearing on "Oversight of Federal Assistance for Prisoner Rehabilitation and
Reentry in Our States"
September 21, 2006

Mr. Chairman, Congress legislates extensively on the offenses included in the federal criminal code, the methods and resources available for criminal investigations and policing, and the standards to be applied in sentencing. We spend too little time, however, considering our correctional institutions and the consequences of the overall design of the corrections system.

It is important that we be tough on crime, for the sake of all Americans. It is also important that we, as the nation's legislators, be smart about how we handle the crime problem and honestly evaluate which policies do and don't work. The June 8 hearing held by Senators Coburn and Durbin on prison conditions was an important step in the right direction, and today's hearing follows suit.

As the report from the Commission on Safety and Abuse in America's Prisons reminded us, the design of our corrections system and the conditions of confinement that result have effects that extend far beyond the prison walls. Over the course of any given year, 13.5 million people spend time in America's prisons and jails. Ninety-five percent of those incarcerated return to our communities, bearing the marks—good or bad—of that corrections system.

At today's hearing, we are considering one of the most glaring indications that our current policies need improvement: our nation's recidivism rates. The national recidivism rate is more than 60 percent and our national re-incarceration rate is more than 50 percent. As a nation, we are spending more than \$60 billion annually on corrections, yet generating these woeful results. There are positive examples from around the country—from the private sector, government, and corrections fields—of individuals and programs that are working on this problem, putting together more rehabilitative systems, and generating lower recidivism rates. But on the national scale we are not succeeding, and we in Congress owe it to the American public to do a better job.

The Commission's carefully crafted report, resulting from 15 months of work with top corrections experts, tells us that to address this problem we need to take advantage of the time that individuals spend in prison. The report tells us that some of the best ways we can spend money in the criminal justice system—to ensure that we are investing responsibly, with an eye on the returns—is to invest in and support educational and vocational programming for inmates. Basically, the report tells us that we should be using the time individuals spend incarcerated to help make them better citizens.

This just makes sense. How can we expect the individuals who have served their sentences to reenter society as productive citizens if all we have done is warehouse them in idle and violent conditions before turning them back to our communities? If we invest up front in inmate programming, we accomplish multiple objectives. First, we decrease the violence within institutions by avoiding the problems that we all know results from idle hands. Second, by decreasing violence, we make it easier for our corrections professionals to do their jobs. Third, we increase the likelihood that those incarcerated individuals won't re-offend upon their release because they leave those institutions with marketable skills. And that helps protect all of us.

Furthermore, we need to integrate the programs offered to inmates while serving their sentences with targeted re-entry programs that inmates can take advantage of when they leave. Far too often, individuals leaving the criminal justice system find the doors of opportunity are systematically closed to them. Reentry programs that increase access to adequate housing, supervision, counseling, or treatment are good policy. When we link corrections programming with reentry programming, we shape a comprehensive corrections system that is actually working toward reducing recidivism—and thereby toward decreasing crime. This how we can make Americans safer. A network of rehabilitative programming is a crucial component in the design of a corrections system—and a criminal justice system—that won't cost taxpayers \$60 billion for a 60 percent recidivism rate.

We must ensure that those who commit crimes are punished. But our corrections system need not be designed in such a way that it routinely regenerates crime. It is in our interest as a society both to provide incarcerated individuals with the rehabilitation tools necessary to emerge from prison without returning to crime and to provide correctional professionals with the resources and support necessary to develop and implement those rehabilitative programs and reentry services.

Mr. Chairman, the issue of rehabilitation, reentry and recidivism deserves our attention, and I appreciate that you and Senator Durbin have worked together to hold this hearing. Thank you.



**Testimony
Before the Subcommittee on
Corrections and Rehabilitation
Committee on the Judiciary
United States Senate**

**SAMHSA Programs to
Facilitate Offender Reentry**

*Statement of
Cherie Nolan
Senior Policy Advisor to the Administrator
Substance Abuse and Mental Health Services
Administration
U.S. Department of Health and Human
Services*



**For Release on Delivery
Expected at 2:30 p.m.
Thursday, September 21, 2006**

Mr. Chairman and Members of the Subcommittee, my name is Cheri Nolan, Senior Policy Advisor to the Administrator of the Substance Abuse and Mental Health Services Administration (SAMHSA) within the Department of Health and Human Services.

Among many issues, I advise the Administrator on criminal and juvenile justice programs. I am extremely pleased to be here to testify on the importance of reentry programs and, more specifically, about SAMHSA's role in supporting reentry.

THE NEED TO FOCUS ON REENTRY

By mid-year 2004, more than 2.1 million people were incarcerated, and several hundred thousand offenders returned to the community each year from incarceration after serving sentences (Harrison and Beck, 2005). It is estimated that the vast majority of those serving sentences eventually return to the community. Studies have indicated recidivism rates in the three- to five-year period following release range from 67 to 90 percent depending on locale, severity of criminal activities, and length of time out of prison, among other factors. This "revolving door" pattern of arrest, imprisonment, release to the community, and re-arrest has spawned interest in the field of "offender reentry". Because studies over the past two decades have consistently found that over 60 percent of offenders tested at the time of arrest have admitted to using or been found to have used at least one illicit drug (DUF, ADAM Studies, DOJ), and because the rates of substance abuse disorders, mental health disorders, and/or co-occurring disorders for offenders are significantly higher than for the general population, SAMHSA is committed through its multiple justice programs and initiatives to addressing the twin issues of public health and public safety that merge in the criminal and juvenile justice systems. SAMHSA is also committed to partnering with other federal agencies and assisting the States and local communities through our criminal and juvenile justice grant programs.

Criminal and Juvenile Justice is one of SAMHSA's Priority program areas in the agency matrix that drives SAMHSA's policy, budget, planning, and programming activities. SAMHSA is actively involved in a number of public safety/public health initiatives that deal with addressing the needs of individuals with substance abuse and/or mental health disorders who are involved with the criminal and juvenile justice systems. These initiatives address topics and issues across the entire spectrum of the justice system continuum, from prevention and education for those individuals "at risk" of substance abuse, mental health disorders, and potential involvement with the justice system, to screening, assessment, treatment, case management and recovery services for individuals returning to communities from correctional facilities (commonly known as "offender reentry").

As opposed to viewing its role in the criminal and juvenile justice system merely from "arrest" through "return to the community", SAMHSA views the criminal and juvenile justice systems from this broader perspective, where at it can apply the appropriate level of interventions, starting with brief education and prevention efforts and culminating with intensive, regimented treatment modalities, sometimes used in conjunction with justice sanctions and incentives, to attempt to disrupt patterns of involvement with the criminal justice system.

SAMHSA's commitment to and activities in support of criminal and juvenile justice efforts are laid out in our comprehensive FY 2006-2007 Criminal and Juvenile Justice Strategic Plan which is available on our web site at www.samhsa.gov.

SAMHSA PROGRAMS

SAMHSA has been involved in reentry programs for several years, beginning with its collaboration with the Department of Justice and the Department of Labor in funding the Serious and Violent Offender Reentry Initiative (SVORI). The SVORI Federal partnership began in January 2002 with a total funding of \$110 million from the contributing agencies. SAMHSA committed \$16.24 million to this initiative in Fiscal Years (FYs) 2002 and 2003 and continues to attend Federal partner meetings.

SVORI is a multi-agency federal initiative designed to fund prototypical model approaches to the successful reintegration of incarcerated offenders into the community. It focuses on three phases of reentry:

- Confinement-incarceration stage – assessing the individual's needs and planning for the transition to the community;
- Reintegration-return to the community – releasing the individual into the community and linking needs with community services while under criminal justice supervision; and
- Sustainability – the period after conclusion of post-incarceration supervision where the individual needs support from family, friends, and community organizations, including faith-based organizations, in order to remain in the community as a productive citizen.

State and local units of government that forge partnerships with institutional and community corrections agencies were eligible for funds. Successful applicants demonstrated a partnership between the state correctional agency and at least one local agency involved in the provision of services and/or supervision of adults/juveniles (as appropriate) returning to the community from adult/juvenile correctional facilities. States received funding to fill service gaps in an existing, comprehensive reentry program, or developed and funded a comprehensive reentry program with federal technical assistance and/or evaluation services.

The goal of SVORI is to provide authorities with effective and appropriate assessment instruments, infrastructures, and resources to develop model reentry programs that begin in prisons, training schools, and other correctional institutions and to continue throughout the offender's transition and stabilization in the community. It provides for the development and implementation of reentry plans that address the issues that impact an offender's opportunity to make a successful transition to the community, including family relationships, housing, employment, education, mentoring support, substance abuse and mental health treatment, and life skills.

In FY 2006, SAMHSA is providing criminal justice-substance use disorder cross-training to grantees in 69 sites around the Nation through the SAMHSA Addiction Technology Transfer Center (ATTC) Network. The ATTC network is part of SAMHSA's efforts to improve the delivery of substance abuse prevention and treatment services.

SAMHSA is funding the Young Offender Reentry Program (YORP), part of the Criminal Justice Activities within our Programs of Regional and National Significance (PRNS). YORP is a four-year grant program designed to provide funds for States, Tribes and tribal organizations, local governments, and community-based private non-profit organizations to expand and/or enhance substance abuse treatment and related reentry services in agencies. It focuses on providing supervision and services to sentenced juveniles and young adults returning to the community from correctional facilities. The Program's focal point is on community-based recovery services, although limited services inside correctional facilities, such as screening and assessment for substance abuse and for transitional planning, are allowed. Both systems linkages (partnerships between justice agencies and community-based agencies) and services provision are required of grantees. Twelve YORP grants were funded in FY 2004, and 11 YORP grants were awarded in FY 2005. Grantees receive up to \$500,000 per year for a four-year period, contingent upon satisfactory performance from year to year.

The targeted youth populations are sentenced juveniles 14 to 18 years of age under the jurisdiction of the juvenile justice system (with allowances for differing age requirements in each state) and sentenced young offenders up to 24 years of age under the supervision of the criminal justice system.

Through the PRNS, SAMHSA also funds Drug Court Programs that provide a successful alternative to incarceration for defendants who constantly cycle between addiction leading to crime, incarceration, release, relapse, and recidivism. Close supervision, drug testing, and the use of sanctions and incentives help ensure that offenders stick with their treatment plans while public safety needs are met. Specifically, SAMHSA is funding 16 Juvenile Drug Courts and 9 Family Drug Treatment Courts designed to target effective treatment services to break the cycle of child abuse or other criminal behavior, alcohol or drug abuse, and incarceration, by funding alcohol and drug treatment and additional supportive services.

In FY 2002, 10 grants were awarded to support programs in the Jail Diversion program, which diverts persons with mental illness from the criminal justice system to community mental health and supportive services. Seven grants were added in FY 2003 and 3 more in FY 2004, for a total of 20 grants. These are three-year grants of \$300,000 per year. Grantees are responsible for matching the Federal contribution.

Under the program, grantees are to plan programs for diversion at one or more points on the criminal justice processing spectrum, including pre-booking and post-booking programs. All funded diversion programs must refer the person to mental health community-based treatment providers. After initial referral to a mental health care

provider, and subsequent to community-based screening and assessment by the provider, persons may be referred to other needed community-based services.

The Technical Assistance Policy Center was funded at the same time as the 2002 Jail Diversion grantees, as a result of the same SAMHSA funding solicitation. The Center serves as the coordinating center for the 17 Jail Diversion grantees and provides them with a number of services.

SAMHSA collaborates on these issues in additional ways besides grants. SAMHSA has been actively involved with the criminal justice initiatives of the Council of State Governments that also deal with offender reentry issues. SAMHSA, as well as other federal agencies, has provided funding for the Urban Institute's Reentry Policy Forum.

SAMHSA regularly attends the Reentry Roundtables that are sponsored by the Urban Institute with funding from Department of Justice. These discussions bring together federal, State and local government officials with national and local experts on reentry policies and practices.

SAMHSA is currently participating in a Bureau of Justice Assistance partnership with the National Association of Counties (NACo). We are working toward the planning and development of a manual that assists local governments in jail-to-community transitional planning for inmates with substance abuse and mental illness or co-occurring disorders. NACo has been charged with researching local best transition planning practices and disseminating information to local governments.

I also want to share with you information about funding sources available to States, local public jurisdictions, and community based organizations, including faith based organizations, for substance abuse prevention and treatment. These funds may be used for a wide variety of applications, including programs that foster offender reentry.

SAMHSA launched the Strategic Prevention Framework in 2004 with the intention to more effectively and efficiently align and focus our prevention resources. SAMHSA awarded Strategic Prevention Framework grants to 25 States and 2 territories to advance community-based programs for substance abuse prevention, mental health promotion, and mental illness prevention. Currently, 34 States and 6 American Indian tribes or tribal organizations have received a grant under this program. These grantees are working with our Centers for the Application of Prevention Technology to systematically implement a risk and protective factor approach to prevention across the Nation. Whether we speak about abstinence or rejecting drugs, tobacco, and alcohol; or we are promoting exercise or a healthy diet, preventing violence, or promoting mental health, we are all working towards the same objective – reducing risk factors and promoting protective factors.

The success of the Framework rests on the tremendous work that comes from grassroots community anti-drug coalitions. We are working with the Office of National Drug Control Policy to administer the Drug-Free Communities Program. This program supports approximately 765 community coalitions across the country. Consistent with

the Strategic Prevention Framework and the Drug Free Communities grant programs, we are transitioning our drug-specific programs to a risk and protective factor approach to prevention. This approach also provides States and communities with the flexibility to target their dollars in the areas of greatest need.

SAMHSA supports treatment primarily through the Substance Abuse Prevention and Treatment Block Grant. Appropriated at nearly \$1.8 billion in FY 2006, these funds are distributed to States using a formula dictated in statute. States have considerable flexibility in their use of the funds.

We also support treatment through competitive grants whereby public and non-profit private entities apply directly to SAMHSA for funds in areas chosen by the agency after consultation with stakeholders. Applications are reviewed and scored by experts from outside Federal government and SAMHSA funds those with the best scores. One such competitive program is our Targeted Capacity Expansion (TCE) program, under which SAMHSA continues to help States identify and address new and emerging trends in substance abuse treatment needs.

In President Bush's 2003 State of the Union Address, the President resolved to help people with a drug problem who sought treatment but could not find it. He proposed Access to Recovery (ATR), a consumer-driven approach for obtaining treatment and sustaining recovery through a State-run voucher program. State interest in ATR was overwhelming. Sixty-six States, territories, and Tribal organizations applied and competed for grants in FY 2004; grant awards of approximately \$100 million were made to 14 States and 1 tribal organization. The President's FY 2007 budget requests \$98 million to continue the ATR program and fund a new cycle of three-year grants to States beginning in FY 2007.

ATR is a valuable program that gives clients the opportunity to participate in deciding their path to recovery, while it gives States an opportunity to inject recovery support services into the current treatment system to improve outcomes. The program's goal is to serve 125,000 clients over a three-year period.

ATR provides for both substance abuse treatment and recovery support services, which means it can be an effective tool in addressing reentry for many of the individuals currently in jails and prisons. For example, data for ATR clients served through June 30 reported that 81.8 percent of clients who were involved with the criminal justice system at intake to ATR reported no involvement at discharge. Thus, SAMHSA is partnering with the Department of Labor and the Department of Justice in order to better provide treatment services for clients enrolled in the President's Prisoner Reentry Initiative (PRI). The partnership will increase the numbers of both ATR and PRI clients serviced because clients under PRI who have substance abuse treatment and recovery support services needs are eligible for ATR vouchers and vice versa. The collaboration will also enhance services being offered by both programs (e.g., PRI provides more comprehensive employment assistance while ATR offers more broad recovery support services). ATR

grantees are making every effort to collaborate with the PRI to realize the full benefits of this initiative.

In conclusion, SAMHSA funds a variety of reentry program as part of its commitment to addressing issues along all points of the justice system continuum, from prevention and education for those individuals "at risk" of substance abuse, mental health disorders, and involvement with the justice system, to screening, assessment, treatment, case management and recovery services for those individuals who are returning to the community from a correctional facility.

Thank you for this opportunity to provide this information to you. I would be happy to answer any questions you may have.



Department of Justice

STATEMENT

OF

REGINA B. SCHOFIELD
ASSISTANT ATTORNEY GENERAL
OFFICE OF JUSTICE PROGRAMS

BEFORE THE
SUBCOMMITTEE ON CORRECTIONS AND REHABILITATION
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE

CONCERNING

OVERSIGHT OF FEDERAL ASSISTANCE FOR PRISONER REHABILITATION
AND REENTRY IN OUR STATES

PRESENTED ON

SEPTEMBER 21, 2006

TESTIMONY FOR REGINA B. SCHOFIELD
 ASSISTANT ATTORNEY GENERAL
 OFFICE OF JUSTICE PROGRAMS
 SENATE JUDICIARY COMMITTEE
 SUBCOMMITTEE ON CORRECTIONS AND REHABILITATION
 SEPTEMBER 21, 2006

Mr. Chairman, Senator Durbin, and Members of the Subcommittee, I am Regina B. Schofield, Assistant Attorney General for the Office of Justice Programs. I am pleased to be here this afternoon on behalf of the Attorney General, the U.S. Department of Justice (DOJ), and the Office of Justice Programs (OJP) to discuss the Department's efforts to aid state and local reentry initiatives.

Most offenders, including the most violent offenders, will eventually return to their communities. Public safety is affected by their return. A study from OJP's Bureau of Justice Statistics found that more than two-thirds of all released offenders were rearrested within three years. So, of the 650,000 people who are released from prison annually, over 400,000 are likely to be rearrested.

Between the harm caused by their original crimes, the injuries inflicted by their new offenses, and the collective damage they do to both their neighborhoods and their communities, the path of destruction recidivists leave is wide and long. In addition to the obvious threat to public safety, this cycle of crime and imprisonment drains scarce community resources from other essential services.

The issue of prisoner reentry has been of great concern to this Administration since early in President Bush's first term. In 2002, the Department of Justice, in an unprecedented partnership with other federal agencies, including two Departments represented here on this

panel, the Departments of Labor and Health and Human Services, launched *Going Home: the Serious and Violent Offender Reentry Initiative*, or "SVORI." As the name implies, this initiative has focused on those offenders considered the greatest potential risk to their communities.

Under SVORI, we have awarded more than \$120 million to 69 grantees, covering all 50 states, the District of Columbia, and the Virgin Islands. These grants helped to support states and communities as they developed and implemented their own reentry strategies. Although the strategies were designed by states and communities to meet their own specific needs, they all share a three-pronged approach that covers every stage of the reentry process. First, while participating offenders are still incarcerated, reentry partners assess their needs, their skills, and the risk they pose to public safety, and develop formal reentry plans. Second, as soon as these offenders are released, they are closely supervised, often with the requirement that they report to a judge or corrections officer, and receive treatment and training. Finally, a network of public and private agencies provides long-term support as the offenders reintegrate.

The SVORI reentry plans also include planning and participation by faith-based and community organizations, neighborhood residents, and local police, and close consultation with state and local government officials, corrections staff, probation and parole officers, treatment providers, and others to make sure that all reentry efforts are comprehensive and coordinated. Everyone works together so that no ex-offender falls through the cracks.

The feedback to date has been very encouraging. We have completed the first phase of a two-phase, multi-year evaluation of the SVORI programs. The evaluation shows that these programs have been successful in bridging the gaps in existing state and local efforts. They are

providing much-needed transition services, such as counseling, mentoring, and job training. And they are closely coordinating pre-release and post-release services.

The next phase of the evaluation is a four-year impact study that will measure program outcomes. It will tell us what impact SVORI programs have had on recidivism, and whether they are cost-effective in helping ex-offenders reenter their communities. More information from the SVORI evaluation is available on the Web at www.svori-evaluation.org. We will continue to share findings from the evaluation as they become available.

The SVORI grants expired this year, but we are taking what we have learned from those programs and applying it to the President's Prisoner Reentry Initiative, or PRI. The President's initiative is a federal partnership that is intended to help ex-offenders find and keep employment, obtain transitional housing, and receive mentoring. Its scope is different from SVORI in that PRI focuses on assisting non-violent ex-offenders. It also harnesses the resources and experience of faith-based and community organizations in helping returning inmates contribute to society.

In Fiscal Years 2005 and 2006, we awarded \$12.9 million to states for pre-release planning and services for non-violent offenders, age 18 and over. Our focus on these grants is on enhancing the capacity of criminal justice agencies to assess offender links to services and to ensure accountability through supervision. We are also supporting training and technical assistance based on the needs of the grant sites, and we are dedicating resources to look at issues faced by returning offenders who are addicted to methamphetamines.

These grants were designed to complement the Department of Labor's portion of the initiative, under which 30 community and faith-based organizations in 20 states received awards

to provide post-release services such as mentoring, employment assistance, and housing assistance.

Reentry also plays a pivotal role in our efforts to fight gangs. Under the Attorney General's six-site comprehensive anti-gang initiative, the Department is making \$500,000 available to each community to create mentor-based reentry assistance programs. Those programs will provide transitional housing, job readiness and placement assistance, and substance abuse and mental health treatment to returning prisoners who are gang members or who are at risk of gang involvement.

We are addressing reentry issues through other channels as well. We are working with the International Association of Chiefs of Police on increasing the role of law enforcement in reentry. We are working with the Urban Institute and John Jay College to address issues faced by offenders reentering the community from local, regional and rural jails. In partnership with the Reentry Policy Council of the Council of State Governments, we are looking at reentry issues related to housing, assessment, and financial obligations. A project with the National Association of Counties is analyzing the issues related to the return of mentally ill offenders to communities. In addition, we are improving ways to ensure that reentering sex offenders do not threaten the public, including exploring address verification technologies and electronic surveillance. As the Subcommittee requested, I am submitting for the record detailed information on the programs I have described today and some of our other reentry-related activities.

The President, the Attorney General, and I all believe that successfully reintegrating offenders back into their communities is one of the most pressing criminal justice issues facing

our nation. State and local governments have demonstrated that thoughtful policies and programs can be developed to address this issue. The federal partners, including the Department of Justice, are committed to doing all we can to continue to support this good work.

We appreciate the interest you and your colleagues have shown in this critical public safety issue. I welcome the opportunity to answer any questions you may have. Thank you.

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Serious and Violent Offender Reentry Initiative (SVORI):

The Department of Justice, in partnership with the U.S. Departments of Education, Health and Human Services, Housing and Urban Development, Labor, and Veterans Affairs, and the Social Security Administration, launched the Serious and Violent Offender Reentry Initiative (SVORI) in early 2002. Under this initiative, more than \$120 million was awarded to 69 grantees, covering all 50 states, the District of Columbia and the Virgin Islands, to develop and implement their own reentry strategies. The grantees have established 89 reentry programs. Forty-three of these programs target adults, 37 target juveniles, seven programs include adults and juveniles, while two target youthful offenders (juveniles sentenced as adults). The programs also vary in how long they work with offenders before and after they leave prison. A few programs specifically target the mentally ill or those with substance abuse problems.

Each reentry strategy was designed by states and the local communities to meet their own needs. SVORI is implemented in three phases: prerelease assessment and services; transition planning and implementation; and post-release supervision and services. SVORI combined the resources of corrections, probation and parole supervision, and service providers (substance abuse, housing, health, mental health, education, and employment) to address the needs of offenders and ensure community safety as these serious and violent offenders return to the community.

The sites have engaged in a range of activities, including targeting specific populations such as female offenders; developing innovative strategies to address critical needs such as housing, mental health services and employment; increasing the use of validated risk assessment tools and ongoing assessments to inform pre release and post release services to address the underlying risk factors of criminality; and enhancing collaborations at the federal, state and local levels to bring the resources and expertise needed to build effective strategies.

The SVORI reentry plans include planning and participation by faith-based and community organizations, neighborhood residents, and local police, who work closely with state and local government, corrections staff, probation and parole officers, treatment providers, and other relevant parties to make sure that all reentry efforts are not only comprehensive but coordinated.

DOJ's role, in addition to providing funding, was to help state and local agencies navigate the complex field of state formula and block grants to assist them in accessing, redeploying, and leveraging those resources to support all the components of the SVORI program. DOJ also works with the other federal partners to provide training and technical assistance.

The SVORI grants expire at the end of this fiscal year. The Department will focus on completing a four-year impact evaluation, which will examine where SVORI has resulted in reduced recidivism, whether it is cost-effective, and whether it has helped provide ex-offenders what they need to become productive members of their communities. This phase will focus on 19 SVORI sites in 15 states. DOJ is committed to taking what we

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have learned from SVORI, and what we will learn from our evaluations, and sharing it with law enforcement, corrections officials, policymakers, and faith-based and community organizations. Through this, we want to encourage more reentry efforts throughout the country that are based on sound planning and a thorough knowledge of what works. RTI International and the Urban Institute are conducting the research on the SVORI project. More information on the evaluations can be found at www.svori-evaluation.org. Additional information about SVORI and OJP's reentry efforts in general can be found at www.reentry.gov.

Transition from Prison to Community Initiative (TPCI):

The National Institute of Corrections (NIC)'s Transition from Prison to Community Initiative (TPCI) is intended to help states improve their transition process. TPCI emphasizes partnerships between corrections, probation and parole, on the one hand, and service providers (housing, health, substance abuse, mental health, employment, education, etc.), on the other, at both the local and state level. The project is under way in eight states, with Michigan and Missouri being the most active. More information on TPCI may be found at <http://www.nicic.org/>.

Reentry Policy Council:

The Reentry Policy Council of the Council of State Governments is jointly funded by OJP's Bureau of Justice Assistance (BJA), the Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the Department of Labor, the National Institute of Corrections, the Robert Wood Foundation, the Open Society Institute and the JEHT Foundation.

The report of the Reentry Policy Council has been used by many state and local agencies in their overall reentry planning and has led BJA to fund other reentry projects with the Council of State Governments Eastern Regional Office (CSG/ERO).

BJA is currently involved in partnerships with CSG/ERO to address various issues concerning reentering offenders, including: housing issues; financial obligations that can deter their progress upon reentry; processes for the offenders returning to communities to assess their needs and risk factors; prison population analysis to provide policymakers with data-driven analysis and options to better utilize resources in the community; housing issues faced by sex offenders; and corrections agencies working with faith and community based organizations. The Reentry Policy Council web site is www.reentrypolicy.org.

National Criminal Justice Reference Service (NCJRS)

NCJRS is a federally funded resource offering information on issues concerning justice and substance abuse to support research, policy, and program development worldwide. NCJRS services and resources are available to anyone interested in crime, victim assistance, and public safety, including policymakers, practitioners, researchers, educators, community leaders, and the general public. NCJRS offers extensive reference and referral services to help its clients find answers to questions about crime- and justice-

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related research, policy, and practice. More information on NCJRS can be found at <http://www.ncjrs.gov/>.

Bureau of Justice Assistance (BJA) Reentry Projects

BJA partners with a number of organizations and associations to develop reentry- related training, technical assistance, curricula, and other products that will assist localities, states and Indian tribes. <http://www.ojp.usdoj.gov/BJA/>

Some examples of these partnerships include:

- American Probation and Parole Association (APPA) provides distance training for rural probation and parole agencies; reentry issues faced by methamphetamine addicted offenders; and family issues faced by returning offenders, in conjunction with the Family Justice Institute.
- JFA Institute is working on an assessment of correctional systems to determine offender risk factors that can lead to better reentry planning for local and state corrections agencies.
- Institute for Intergovernmental Research is working in partnership with APPA and the Association of State Correctional Administrators (ASCA) to address reentry issues related to gang members returning to their communities.
- Greater Richmond, Virginia YMCA, in conjunction with local community corrections agencies and jails, is working on a pilot project to explore strategies to address the needs of women offenders and their children. These services cover both women who return to their community after incarceration and women who are under other forms of supervision.

Bureau of Justice Statistics Reentry Data

The Bureau of Justice Statistics (BJS) is the official statistical agency of DOJ, and a component of OJP. The primary mission of BJS is to collect, analyze, publish, and disseminate information on crime, criminal offenders, victims of crime, and the operation of justice systems at all levels of government. Information on reentry trends in the U.S. can be found at <http://www.ojp.usdoj.gov/bjs/reentry/addinfo.htm>.

Office of Juvenile Justice and Delinquency Prevention Reentry Projects

OJPs' Office of Juvenile Justice and Delinquency Prevention (OJJDP) has supported many efforts, both directly and indirectly, to help reintegrate juvenile nonviolent offenders into their schools and communities. OJJDP has also supported intensive aftercare projects that provide monitoring and guidance to juvenile ex-offenders. In addition, many states and local communities use OJJDP formula funds to support these types of programs. <http://ojjdp.ncjrs.gov/>

OJJDP supports the Boys and Girls Clubs of America Targeted Reentry Initiative. Out of the \$79 million congressionally mandated award to the Boys and Girls Clubs of America, \$1 million has been set aside for the Targeted Reentry Initiative. Based upon the Intensive Aftercare Program (IAP) model, this initiative represents a strong commitment

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to a public and private sector collaboration between youth correctional agencies and the local Boys and Girls Clubs at all points on the reintegration continuum.

In 2003, OJJDP awarded a \$3.5 million grant to the Florida Department of Juvenile Justice to implement the Faith and Community Based Delinquency Treatment Initiative (FCBDTI), a multi-faceted faith based initiative for youthful offenders adjudicated to state juvenile justice secure facilities. A three-year effort, this initiative is being implemented in several phases, due to the legal and operational complexities of working with youth. The program currently provides residential commitment services and aftercare services to approximately 189 low, moderate or high risk youth. Youth between the ages of 10 to 17 are assigned a mentor provided by faith or community-based partners at the time of admission to a residential facility. These volunteers are carefully screened through a process that includes a formal background investigation

Partnerships at Weed and Seed Sites

The Office of Justice Programs (OJP) and the Corporation for National and Community Service (CNCS) have created a partnership that uses volunteers from AmeriCorps Volunteers in Service to America (VISTA) at select OJP Weed and Seed sites to help develop programs for ex-offenders returning to their communities. This partnership allows local sites to leverage public and private resources to provide housing, employment, and life skills training for ex-offenders, and mentoring for their children, with the goal of reducing recidivism and crime.

The Weed and Seed strategy is employed in 330 sites nationwide. It seeks to prevent, control, and reduce violent crime, drug abuse, and gang activity in targeted high-crime neighborhoods and to provide services that prevent crime and revitalize neighborhoods.

The partnership involves collaboration between OJP's Community Capacity Development Office (CCDO) and CNCS. VISTA volunteers work with the Weed and Seed reentry efforts in the following cities: Oakland, CA; Washington, DC; Miami, FL; Chicago, IL; Indianapolis, IN; Cleveland, OH; Portland, OR; Philadelphia, PA; Providence, RI; Charleston, SC; and Dallas, TX.

Supported by CCDO, VISTA volunteers are building local networks and collaborations with faith-based and other groups to create local reentry initiatives; to develop community volunteer programs that provide trained community volunteers for programs, including those that offer mentoring to ex-offenders and their families; and to work with the criminal justice system and prisons to develop reentry programs. More information on CCDO programs can be found at http://www.ojp.usdoj.gov/ccdo/welcome_flash.html.

Edward Byrne Memorial Justice Assistance Grant (JAG) Programs

Many states and local communities have used their Byrne Justice Assistance Grants to assist in their reentry efforts. In fiscal years 2005 and 2006 at least 17 grantees

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specifically targeted reentry efforts with their JAG grants. These grants range from \$88,000 to over \$19 million and total over \$65 million.

Reentry Roundtables

As part of the overall reentry training and technical assistance efforts, BJA has funded projects with both the Urban Institute and the National Association of Counties (NACo) that have addressed reentry issues for offenders returning to communities from local jails.

The Urban Institute has held two roundtable discussions on jail reentry issues in partnership with John Jay College of Criminal Justice and the Montgomery County (Maryland) Department of Correction and Rehabilitation. The Urban Institute will produce a number of papers on jail reentry issues as a result of this project. This project is ongoing, with another meeting being planned to further discuss the proposed papers, which will be resources for jails around the country that face reentry issues.

NACo has held a roundtable discussion on jail reentry issues relative to offenders with mental illness. This project is ongoing and the resulting project will be a document that will assist jails and communities with their struggle to address the needs of offenders with mental illness who return to their communities. Jails have become some of the largest mental health facilities as deinstitutionalization has occurred in recent years.

Information regarding the roundtables will be posted on the Urban Institute web site www.urban.org/projects/reentry-roundtable/roundtable9.htm.

Residential Substance Abuse Treatment (RSAT)

The Residential Substance Abuse Treatment (RSAT) for State Prisoners Formula Grant Program assists states and units of local government in developing and implementing residential substance abuse treatment programs in correctional and detention facilities. RSAT programs provide individual and group treatment activities for offenders and must: last between six and 12 months; be provided in residential facilities set apart from the general correctional population; focus on the substance abuse problems of the inmate; and develop the inmate's cognitive, behavioral, social, vocational, and other skills to solve the substance abuse and related problems. Funding can also support aftercare services, in coordination with reentry efforts.

The President's Prisoner Reentry Initiative

The President's Prisoner Reentry Initiative (PRI) is a federal partnership through which the Departments of Labor, Justice and Health and Human Services will support projects in 30 communities in 20 states. The initiative is intended to help ex-offenders find and keep employment, obtain transitional housing and receive mentoring. It harnesses the resources and experience of faith-based and community organizations to help returning inmates contribute to society.

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Like the Serious and Violent Offender Reentry Initiative (SVORI), the President's PRI helps communities provide services to returning offenders, including mentoring and job training. The President's PRI has some key differences so that it complements, and does not duplicate SVORI. While SVORI, as the name indicates, has targeted serious and violent offenders, the President's PRI focuses on non-violent offenders. The President's PRI provides funds directly to faith-based and community organizations that work with offenders in urban communities while SVORI funds have gone primarily to government agencies in all 50 states.

The President's PRI is building on the foundation laid by SVORI. They form a two-pronged offensive against revolving-door recidivism. Many inmates are in prison for drug crimes that did not include violence. The Department believes that we cannot afford to wait until these nonviolent offenders escalate to the use of violence before they get any reentry intervention and assistance. What we are learning from SVORI about what turns around violent offenders, we will apply through PRI to their nonviolent cellmates. PRI targets only nonviolent adult offenders.

In conjunction with the Department of Labor's (DOL) PRI grant program, DOJ (through BJA) is managing grants to support pre-release activities within correctional facilities. BJA will be funding 30 projects in 20 states. DOJ funding will be up to \$450,000 for each of the 30 individual projects. These efforts will be coordinated with the 30 faith/community based organizations funded by DOL.

The DOJ funding provides resources to states to provide pre-release services for offenders, such as: assessments; substance abuse treatment; employment assistance/job readiness; educational services; cognitive skill development; life skills; health and mental health counseling and assistance; and mentoring.

States receiving DOJ grants are: Arizona (two), California (four), Colorado, Connecticut, Florida, Illinois, Iowa, Louisiana (two), Maryland, Massachusetts, Michigan, Missouri (two), New Jersey (two), New York (two), Ohio, Oregon, Pennsylvania, Texas (three), Washington and Wisconsin.

Attorney General's Six Site Gang Initiative

Attorney General Gonzales announced a Six Site Gang Initiative that will target high impact, violent gang members in six jurisdictions: Tampa, Florida; Dallas/Fort Worth, Texas; Eastern Pennsylvania (Rte 222 corridor); Milwaukee, Wisconsin; Los Angeles, California; and Cleveland, Ohio. The project will fund enforcement, prevention, and reentry initiatives in these areas. Each jurisdiction will receive \$2.5 million, with \$1 million going for enforcement, \$1 million for prevention and \$500,000 for reentry programs.

Reentry programs will address pre- and post-release supervision and services. In some of the sites, the corrections partner is using efforts in the SVORI program as a foundation for this new project. Building on their use of validated assessment tools, pre-release

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programming and post-release community partnerships, the sites will now target a subset of serious and violent offenders. These gang members create unique challenges to supervision, both during incarceration and upon release. The reentry funds under this initiative will assist in building strategies specifically designed to address these issues.

The use of vouchers for services within faith and community-based organizations and the use of mentors for offender assistance will be highlighted for the reentry component, along with intensive supervision of offenders and information-sharing with law enforcement agencies. Some jurisdictions will also partner with CCDO's Weed and Seed sites, as well as use VISTA volunteers.

STATEMENT OF ROGER WERHOLTZ
SECRETARY KANSAS DEPARTMENT OF CORRECTIONS
BEFORE THE
SUBCOMMITTEE ON CORRECTIONS AND REHABILITATION
SENATE COMMITTEE ON THE JUDICIARY
ON
"OVERSIGHT OF FEDERAL ASSISTANCE FOR PRISONER REHABILITATION
AND REENTRY IN OUR STATES"
SEPTEMBER 21, 2006

Chairman Coburn, Ranking Member Durbin and members of the Subcommittee, thank you for the opportunity to testify today. My name is Roger Werholtz and I currently serve as the Secretary of the Kansas Department of Corrections. I am also appearing on behalf of the Association of State Correctional Administrators (ASCA). Thank you for providing me with an opportunity to comment on funding for prisoner re-entry and the relationships between federal agencies and state departments of corrections.

Federal agencies provide funding to organizations such as mine that allow us to pursue innovations or put in place resources that would otherwise be beyond our reach. In the current state fiscal year, my state of Kansas will expend \$1,952,371 in federal grant funding. That comprises only .71% of the Kansas Department of Corrections' annual budget, but for that less than 1% of our budget, the impact, on our agency and the citizens of our state is huge. With these federal funds and a blend of state, local and private revenues, we will be able to provide a variety of services to crime victims including routine and emergency notification, development of safety plans, assist in the successful reintegration of offenders into with their families, and provide victim/offender dialogue services. Likewise, my department is able to deliver therapeutic community substance abuse treatment, some academic and vocational education and to design and implement a highly influential offender re-entry program. We have also been able to defray some of the costs of housing criminal aliens in our prison system through the State Criminal Alien Assistance Program (SCAAP).

Grant programs such as the Serious and Violent Offender Reentry Initiative (SVORI) and the Violent Offender Incarceration/Truth In Sentencing (VOI/TIS) program, have significantly influenced state level correctional practice and state sentencing policies. In Kansas, the reentry program initiated with SVORI funding is appearing to be a highly effective intervention that has improved performance and compliance with supervision conditions of some of the most serious offenders returning to Kansas communities. That small program has served as a model that has heavily influenced the training of KDOC parole and facility employees regarding effective strategies for offender supervision. It has helped us to dramatically reduce the number of parolees being revoked and returned to prison. Our SVORI funded program is being evaluated by the University of Kansas and is also a part of a larger national evaluation funded by a separate federal grant. While our results to date are so encouraging that the state and one of our largest counties have invested significant amounts of money to replicate the strategies in other cities in Kansas,

I must caution you that these numbers are still preliminary and we will need to observe the impact over time to accurately judge the long term impact of these efforts.

In my view we have at least three types of relationships with various federal agencies: collegial/collaborative; grantor/grantee; and regulator/oversight. Correctional agencies and many of the federal agencies with which we regularly interact share a common mission of public safety.

Collegial/collaborative relationships - Federal agencies such as the National Institute of Corrections (NIC), the Bureau of Justice Assistance (BJA), the Bureau of Justice Statistics (BJS) and the Office of Justice Programs (OJP) regularly provide a large number of opportunities to improve correctional practices for very modest investments. These agencies provide technical assistance to state and local criminal justice organizations that allows us to access the services of leading researchers and practitioners throughout the country in order to improve the performance of our own organizations. They provide training opportunities in which state and local agency leaders can have direct access to the most current research and thinking on current correctional practice. Likewise, academics and researchers have a first hand opportunity to discuss and test their views and findings with those of us directly involved in the day to day operations of criminal justice organizations. These agencies provide opportunities for those of us in the field to guide the direction of future inquiry by soliciting input on the most pressing unanswered questions facing our organizations. They also provide a valuable service through simple "truth telling." There are many myths and misconceptions about the nature of the criminal justice system, offenders, the prevalence of crime, and the effectiveness of interventions with the offender population. The research and analysis performed and disseminated by federal groups such as BJS are invaluable in assisting us in informing our own governors, legislators, the media and the public about the true nature of the problems we face and the most effective responses to those problems. I think the influence that these federal agencies have in informing and influencing correctional practice in the states would be difficult to overstate.

Grantor/grantee relationships – On a national level, I would like to highlight two relatively modest grants provided to the Association of State Correctional Administrators (ASCA) by the Bureau of Justice Assistance. Most recently ASCA and BJA entered into a joint project to establish a "clearinghouse" that would assist state corrections agencies in tracking federal funding opportunities, compete more successfully for those resources and respond better to the federal agencies' responsibilities to ensure accountability for the funds invested. However, and of equal importance, the clearinghouse is intended to promote the exchange of information between the state and federal partners and among the states recognizing that information and lessons drawn from experience will increase the value of any monetary investment in a project. Below is a copy of the scope statement that describes the intended functions of the clearinghouse:

1) Determine what funding opportunities are available under current programs and supply that information to the Directors. To achieve this purpose the program will:

- a. Garner details about funding sources and build a database of funding opportunities and availability.
- b. Help states determine where to start with respect to communicating and working with federal agencies (e.g., identifying 'the door' as well as helping to 'open the door').
- c. In accessing federal funds, it will help states find a way to avoid the bureaucracy while still getting information and funding.
- d. Provide accurate and timely notification of grant initiatives to states as well as specific contact person(s) for additional information.
- e. Help navigate around the politics, competing issues, redundancy and ownership issues.
- f. Help educate states on how to measure and document what they do to better compete for funding.

2) Share information between correctional agencies and federal agencies. To accomplish this function the clearinghouse program will:

- a. Analyze, encapsulate and dispatch information from federal agencies.
- b. Keep Directors apprised on what federal agencies are doing.
- c. Establish a system to garner information on policies and develop a forum for discussing issues prior to them becoming legislation.
- d. Identify issues, consequences of issues, determine what directors can do and establish what directors need with respect to issues.
- e. Provide states with sample federal policies.
- f. Share what is going on in the field and what other states are doing.
- g. Provide coordination as well as communication to directors and those persons in their department that they identify.
- h. With the aid of a standardized measure, help determine why some jurisdictions are performing better than others.
- i. Share agency 'funding success stories' and creative use of funding.

3) Capture and articulate ASCA's perspective of federal government's role in corrections and help inform BJA's planning on priority issues.

- a. Help states understand BJA's new organizational structure.
- b. Continue to build a solid relationship between ASCA and BJA.
- c. Develop stronger relationships with non-corrections focused government agencies such as the Department of Labor, Department of Health and Human Services, Department of Housing and Urban Development, Department of Veteran Affairs, Department of education, etc.

A second BJA funded project that will have significant national impact is the Performance Based Measures and Standards (PBMS). This project is enabling ASCA to develop consensus among the states regarding how to measure some of the most fundamental characteristics of correctional agency performance in order to allow for meaningful and accurate comparisons among states. Historically, it has been impossible to accurately compare various activities and components of corrections agencies, because definitions and methods of calculation were not standardized. Things such as escapes, assaults,

recidivism rates and costs were calculated and reported using methods and definitions that were unique to each jurisdiction. This may have worked well for purposes of internal and historic comparison, but made meaningful comparison across jurisdictions impossible. While conversion to this system will require several years, more than half the states and the Federal Bureau of Prisons are now actively engaged in the conversion process.

Federal agencies also provide funding to organizations such as mine that allow us to pursue innovations or put in place resources that would otherwise be beyond our reach. In the current state fiscal year, my state of Kansas will expend \$1,952,371 in federal grant funding. That comprises only .71% of the Kansas Department of Corrections' annual budget, but for that less than 1% of our budget, the impact, on our agency and the citizens of our state, is huge. With these federal funds and a blend of state, local and private revenues, we will be able to provide a variety of services to crime victims including routine and emergency notification, development of safety plans, assist in the successful reintegration of offenders into with their families, and provide victim/offender dialogue services. Likewise, my department is able to deliver therapeutic community substance abuse treatment, some academic and vocational education and to design and implement a highly influential offender reentry program. We have also been able to defray some of the costs of housing criminal aliens in our prison system through the State Criminal Alien Assistance Program (SCAAP).

Grant programs such as the Serious and Violent Offender Reentry Initiative (SVORI) and the Violent Offender Incarceration/Truth In Sentencing (VOI/TIS) program, have significantly influenced state level correctional practice and state sentencing policies. In Kansas, the reentry program initiated with SVORI funding is appearing to be a highly effective intervention that has improved performance and compliance with supervision conditions of some of the most serious offenders returning to Kansas communities. That small program has served as a model that has heavily influenced the training of KDOC parole and facility employees regarding effective strategies for offender supervision. It has helped us to dramatically reduce the number of parolees being revoked and returned to prison. Our SVORI funded program is being evaluated by the University of Kansas and is also a part of a larger national evaluation funded by a separate federal grant. While our results to date are so encouraging that the state and one of our largest counties have invested significant amounts of money to replicate the strategies in other cities in Kansas, I must caution you that these numbers are still preliminary and we will need to observe the impact over time to accurately judge the long term impact of these efforts.

VOI/TIS was a much more ambitious federal program that was intended to influence sentencing policy on a national level by providing incentives to states to incarcerate more violent offenders for longer periods of time. There is no question that the intended impacts were achieved. Many states including Kansas altered their sentencing practices to reduce the amount of "good time" that could be awarded to a maximum of 15% of the sentence thus lengthening amount of time most offenders in our state would remain incarcerated. Likewise, VOI/TIS heavily influenced the frequency of drug testing of the offender population as well as the methods used to carry out that testing.

Regulator/Oversight relationships – There is a third set of relationships that state corrections agencies have with federal organizations. In that set of relationships, we are required to respond to federally imposed mandates. Perhaps one of the most recent examples is the Prison Rape Elimination Act which requires our participation in, among other things, the measurement of the frequency of sexual assault in confinement facilities and the development of strategies to ensure the safety of prisoners and staff within those facilities. There are both incentives to become actively engaged in this effort and consequences for lack of compliance.

I have been advised that the committee is interested in gaining a better understanding of our working relationships with various federal agencies. My greatest experience has been with the agencies housed within the Department of Justice (BJA, BJS, OJP) and the National Institute of Corrections. Those agencies are well respected by those of us in the field. They communicate well, seek frequent dialogue and input, provide meaningful assistance and leadership and offer access to services and resources that agencies such as mine could never access on our own. Perhaps as important to those of us on the state level, is the role they play in facilitating our access to one another and supporting our collaboration and sharing of experiences across states. NIC is particularly prominent in this respect.

The committee has also inquired about the role that non-profits, associations and lobbyists play in helping states to identify and acquire available federal funds. In my own experience, I have found organizations such as the Council of State Governments (CSG), the American Correctional Association (ACA), and the National Correctional Industries Association (NCIA) to be very helpful in understanding how to compete more effectively for resources and how to leverage the resources we receive with state, local and private funds to maximize the return on those resources. CSG has played a particularly effective role in helping Kansas formulate effective community reentry policy and achieve the necessary state and local political support to bring that to fruition.

We have formed a number of effective partnerships with local non-profit and faith based organizations to further our mutual goals. This has been particularly important in the establishment of reentry programs in some of our largest cities. We have also found many non-profit organizations to be helpful in providing services to families of offenders to either prevent the incarceration of offender's children (who are particularly high risk) or to maintain family ties which are often damaged by incarceration.

I frankly, am much more cynical about the role that lobbyists play in "assisting" agencies such as mine. Such help often comes in the form of assurances that they can facilitate access to federal funding to acquire their product or their clients product or services. Perhaps the most egregious example I can cite is the stipulation in the VOI/TIS funding rules that agencies such as mine, which might be interested in leasing secure confinement space from another entity, could use VOI/TIS to lease such space only from a private entity. Consequently, when my agency did lease space to house prisoners on a temporary basis, we had to send prisoners out of state because we could not use VOI/TIS funds to

lease available bed space in county jails in Kansas. That made it more difficult to monitor the contract, more difficult to properly manage the prisoners cases, more difficult for families of prisoners to visit their loved ones, and diminished the impact those dollars could have had in benefiting local jurisdictions in my state of Kansas. I have seen similar examples where federal legislation that authorized assistance to states was written so restrictively, that only one product could qualify for the assistance and that company's representative shopped the product so aggressively until a "customer" could be found to use the "free money" that there was real question whether the intended benefactors of the legislation received any value at all from the product.

The committee has requested examples of programs funded with federal grants. For my state, let me cite what is in the current state fiscal year's budget as well as some other significant grants we have received in the past or anticipate receiving in the near future.

<u>Service/Program</u>	<u>Funding Source</u>	<u>Match Requirement</u>
Day Reporting Centers	VOI/TIS (OJP/BJA)	10%
Reentry Program	SVORI (OJP/BJA)	none
Special Education	Chapter 1, (US Dept. Of Ed)	none
Sub. Abuse Treatment	Byrne/JAG (OJP/BJA)	75%
Sex Offender Management	CASOM (US Dept. of Justice)	25%
Residential Sub. Abuse Treatment	RSAT (OJP/BJA)	25%
Community Transition for Youthful Offenders	US Dept. of Ed.	none
Literacy Programs for Prisoners	US Dept. of Ed.	none
State Criminal Alien Assistance Program	SCAAP (OJP/BJA)	none
Victims Services	Byrne/JAG (OJP/BJA)	30% - 75%
Victims Services	VOCA (OJP/OVC)	20%
Transition Services for Mentally Ill Offenders	various funds to another state agency	50%
Affordable Housing and City Infrastructure Program	Community Development Block Grant	none

In addition to the above listed programs, in our current budget we have received notification that we have been awarded a grant through the Prison Rape Elimination Act that will allow us to improve prison security and investigative techniques in order to further reduce the risk of sexual assaults occurring in Kansas facilities.

In summary, I would characterize our overall relationship with our federal agency partners as highly collaborative, productive, active and respectful. We are actively engaged with many of those federal agencies with whom we most closely associate, to further enhance our ability to carry out our respective missions. Your continued support will be of great service to my state and, I am confident, to those of my peers in the Association of State Correctional Administrators.

I am pleased to have the opportunity to brief this committee and I would be pleased to answer any questions you may have.



**Corrections & Rehabilitations Subcommittee
Senate Judiciary Committee**

**Oversight of Federal Assistance for Prisoner
Rehabilitation and Reentry**

Statement for the Record

**B. Diane Williams, President & CEO
Safer Foundation**

Established in 1972, the Safer Foundation is a non-profit organization based in Chicago that works to reduce recidivism by supporting the efforts of people with criminal records to become productive, law-abiding members of their communities. We provide a full spectrum of services, including education, employment and retention focused case-management. Safer is one of the nation's largest community-based providers of employment services for a clientele comprised exclusively of people with criminal records.

I am pleased the Subcommittee is taking up the issue of federal support for offender reentry. Reentry impacts not only those being released from prison, but also his or her family and his or her entire community. In 2004, across the State of Illinois, over 33,000 individuals left prison and returned home. Nearly 84% of the individuals paroled in Fiscal Year 2005 returned to ten areas. This reality is especially troubling, given that these communities are disproportionately low-income, crime-ridden, home to racial minorities, and lacking in needed social services and supports.

The average person on parole has been previously incarcerated at least once and continues to face significant barriers to a safe and successful reentry, such as substance abuse problems, mental health issues, low education levels and poor job-preparation skills preventing him or her from garnering employment that pays a living wage. As a result, the majority of formerly incarcerated individuals commit a new crime or violate the conditions of their release and return to prison to begin the process all over again, leaving the State of Illinois to confront the highest recidivism rate in its history.

Communities, particularly families, need avenues and resources to assist their loved ones in succeeding. For the success or failure of reentry falls most heavily on the returning individual ~ the decisions that lead to success or failure lie with him/her. To empower individuals, returnees must have access to the full spectrum of necessary resources and must be relieved legislatively, administratively, and socially of the collateral sanctions that follow people with criminal records throughout their lives. Although they vary from state to state, people with criminal records face a myriad of barriers with regards to employment in particular ~ including blanket hiring exclusions. The spectrum of services must also be coordinated, or at least easily accessible to those that need them ~ currently they tend to be disconnected and unable to meet the demand.

Over the past decade, the Safer Foundation has seen the demand for our services grow. This growth is not the result of a targeted marketing campaign or discounts but rather the alarming increase in the number of those people involved in the criminal justice system. In 2000, we provided employment-related services to 4,300 people with records. By 2006, this number had increased to over 10,000. This rate of growth highlights the need for communities to have planned and coordinated supports for people returning from prison, such as could be offered through the Second Chance Act.

In order to meet the need, the Safer Foundation has leveraged funding sources to implement research-based model programs aimed at providing critical supports that lead to self sufficiency, measured by increased employment placement and retention rates, and decreased recidivism. Some of our notable models are:

Prison to Community: Safer has helped shape the Sheridan Initiative, which is Illinois' model prison to community initiative. Sheridan, a 950 bed prison, is geared towards providing in-custody treatment for drug offenders. Safer provides job readiness during the duration of prison stay and job placement and retention supports for two years post-release throughout Illinois. Results at the end of year two show a 50 % decline in recidivism and a 50% increase in job placement. Our most recent statistics show that 77% of the participants who are active in Safer's services are currently working.

Community Corrections: Safer administers two minimum security male residential transition centers, on behalf of the Illinois Department of Corrections (IDOC), both located in the Lawndale community on the near west side of Chicago. This is a community greatly impacted by the prison system with 70% of the men residing in North Lawndale having a criminal record. Between the two Adult Transition Centers (ATC), Safer provides 24-hour housing, treatment, education, and job readiness/placement and retention for 500 incarcerated men at any given time. Through these centers, Safer is able to help those incarcerated in IDOC gradually reenter their communities, while achieving benchmarks around educational and job attainment.

Transitional Jobs: In January of last year, Safer launched a staffing company (Pivotal Staffing Services, LLC) so that we can serve employers' needs and act as the employer of record. We have hired 756 clients for one major employer since then. The clients that we target for these job opportunities are those with very limited work and educational backgrounds. In the last quarter of 2005, Safer added a Transitional Employment Supports element to these jobs. Since that time, 30 day job retention has increased from 53% to 78%. Start-up funding for Pivotal was supplied through the Small Business Administration and the City of Chicago Mayor's Office of Workforce Development.

Basic Skills: Safer designed its own approach to basic skills and GED attainment several years ago, which we refer to as our Youth Empowerment Program. Through this 8-week model, clients are both students and teachers. We shaped this model to intake participants at any grade level, and the results have been consistently strong. In FY2006, 314 clients attained their GEDs, and 1,500 basic skills clients increased their literacy rates by an average of 2 grade levels. Funding for this initiative is primarily through the Illinois Community College Board.

Ready4Work and the Department of Labor's Prisoner Reentry Initiative: With support from the U.S. Department of Labor, Safer was able to implement the Ready4Work model from January of 2004 to August of 2006.

During that time, we worked with 4 community-based partners to serve 430 18 to 34 year olds during their reentry process. Safer provided case management and job placement/retention services, and our community and faith-based partners provided mentoring. 69% of the participants gained employment, and 67% attained 30-day retention. Most significantly, less than 10% of the enrolled participants had recidivated by the end of the initiative.

Safer was also awarded a 3-year Prisoner Reentry Initiative grant in November of 2005. With this DoL funding, we've expanded the number of sites, in the communities of highest reentry, that are implementing the Ready4Work case management, mentoring, and job training/placement model. Early results are similar to those of the original Ready4Work project.

Chicago has benefited from the importance both Ready4Work and the Prisoner Reentry Initiative placed on partnerships. These federal funding sources have enabled Safer to formally partner with 9 community and faith-based organizations and thereby increase their capacity to provide mentoring and wrap-around supports to those returning from prison. Safer has been allowed to do what we do best, specialize in job placement and retention, while also ensuring that the returnees more personal needs were being met at the community level. We believe that this unique partnership has been critical to the significant decline in recidivism for these clients.

In an effort to measure client outcomes, the Safer Foundation commissions an annual three year recidivism study. The lead researcher is Dr. Arthur J. Lurigio, PhD, Associate Dean for Faculty at Loyola University. The Safer recidivism study tracks client recidivism (re-incarceration) for three years, beginning at the point of intake at Safer. Findings are then compared to the IDOC recidivism (re-incarceration) study, which tracks all Illinois prison inmates from the point of release for a three year period.

The 2004 IDOC recidivism study tracked all released inmates in Fiscal Year 2000 (7/1/99 - 6/30/00) and measured their re-incarceration through Fiscal Year 2003, finding 54% of all releases were re-incarcerated within three years. The 2004 Safer study likewise tracked all 4,136 clients who received an intake at one of Safer's locations during Fiscal Year 2000 (7/1/99 - 6/30/00) and studied their re-incarceration, using the same definitions and data as the IDOC study.

The 2004 Safer study found that the three-year recidivism rate for clients who received our employment services and achieved a job start was 21%. In other words, among all Safer clients who received job starts, only 1 in 5 returned to prison within three years of their release from prison. The three-year recidivism rate for clients who achieved 30-day employment retention was 18%, an improvement of 67% as compared to the statewide recidivism rate of those released from prison during the same time period. Among those who went on to achieve 360-day retention, only 8% recidivated in a three-year period.

The findings from the Safer Foundation's recidivism study speak to the importance of hitting *at least* the 30-day retention. As an organization, we are continuing to develop, implement, and further models of workforce development that support our clients in achieving the employment starts and retention benchmarks that we know will result in their long term success. We also continue to work towards bringing our proven program models to scale, to meet the growing need for reentry support.

No single intervention will solve the reentry problem but the research findings are clear ~ education and employment have the greatest results on recidivism. While in the past public policy decisions have been made out of the concern that supporting people with criminal records sends the wrong message, I am encouraged that as a nation we are beginning to think differently. We recognize that we cannot continue to utilize incarceration as the answer to public safety. To truly impact the growing numbers of people going to prison, education, vocational training, and employment options that allow for a living wage must be priorities. They are critical, but can not be offered in a vacuum. Treatment, housing and case management must be a part of the solution, given the complex and multifaceted issues surrounding former prisoners.

The Safer Foundation recommendations include:

Ensuring that federal assistance is both comprehensive, and directed towards community-based groups that are in a position to provide coordinated services, with a focus on hard outcomes (employment and educational attainment). Program models such as Department of Labor's Prisoner Reentry Initiative allow for coordinated service delivery under the accountability of mature community-based organizations that can ensure results and help facilitate partnerships. Such mature organizations should be supported in their efforts to provide technical assistance and capacity building to smaller community and faith-based organizations. So that their expertise in dealing with the population is distributed, the Department's One Stop providers should be encouraged to work with them as well.

Continuing support for what we know works via the Prisoner Reentry Initiative. PRI, and the combined approach to job placement, mentoring and case management, should be expanded to the cities and counties with the highest concentrations of returning individuals, and services should be located in the areas of highest reentry. PRI could be further strengthened with a transitional jobs component that supports employment opportunities and accompanying wraparound services for those least likely to garner employment and most likely to return to crime.

Encouraging innovative statewide solutions that utilize a justice intermediary to coordinate city, state, and county efforts under a coordinated umbrella. Safer has worked with national and local experts to design one such model, that when fully implemented will result in a significant

